Interview with Cornelius D. Scully III

The Association for Diplomatic Studies and Training Foreign Affairs Oral History Project

CORNELIUS D. SCULLY, III

Interviewed by: William D. Morgan

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SUMMARY: Cornelius D. Scully, III, holds the most senior legal position in the Visa Office of the State Department's Bureau of Consular Affairs. Calling on and his over thirty years of association with the visa function, he details in this interview the major issues facing U.S. migration policy over the period. With both Foreign Service experience, which he entered in 1960, and subsequent domestic service, he probably has had more direct and influential involvement in both the finely detailed as well as far-reaching aspects of immigration matters. As a lawyer he gives advise, interpretations and just plain solid counsel on all aspects of the various visa laws. In this interview he spells out clearly, and in most human terms—at times amusingly, the whys and wherefores of the changes in attitudes and the pressures from interest segments of American society which caused Congress to change the immigration laws over the years. Mr. Scully is most explicit in detailing all the principal issues operating in the immigration laws of 1965, 1986 and 1990, and various amendments when important. He knows the important players both in Congress and in the Department, and talks with zest and personal insights on how they operated, and why. One of the most interesting and insightful are his anecdotes about Abba Schwartz, for whom he was a staff aide when Mr. Scully was a junior officer.

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BIOGRAPHY: Cornelius D. Scully III, born into a politically alert New Deal family who moved to Washington when he was young, seemed destined by temperament and background for the senior ranks of the U.S. government. After graduating from the University of Virginia and serving in the Navy, he entered the Foreign Service in 1960. His first tours were in the consular sections of Nice and Montreal. Returning to a domestic assignment in the Visa Office, then part of the Security and Consular Administration, later to become the Bureau of Consular Affairs, Mr. Scully worked in the Regulations and Legislation division. Evenings he pursued his law degree, successfully. Therefore, highly equipped to move on in the legal areas of visa law, Mr. Scully transferred to the Civil Service and progressed upward in rank and responsibility. Today he is Director for Legislation, Regulations, and Advisory Assistance in the office of the Deputy Assistant Secretary of State for Visa Services.

This is the first in a series of ten oral history interviews conducted under the Abba Schwartz Foundation Award granted to retired Foreign Service officers Charles Stuart Kennedy and William D. Morgan. The interviews will focus largely on the visa function as part of migration to the United States and how the State Department is involved in adjudicating the laws of Congress as they relate to interviewing aliens abroad to determine their eligibility to enter the U.S.. This is the counterpart function performed by the Immigration and Naturalization Service at U.S. ports of entry.

Cornelius Scully, known to some of us as Dick, has been associated with the visa function for a goodly number of years. Dick and I worked together when I was deputy director of the Visa Office back in the late seventies at a time when we were just beginning to “manage” the visa function with modern technology, and we're still trying to.

Q: First of all, Dick, give us something of your background and what brought you into this work, both in the Foreign Service, the [U.S.] Civil Service, and something of your background academically.

SCULLY: Bill, my dad's family were all from Pittsburgh, Pennsylvania, very political people. I grew up in a very, very political household, all very strong New Dealers. As a strong New Dealer, my father had come to Washington at the beginning of the Second World War and worked for the government. So I grew up in Washington and I grew up in this very political environment. I also grew up in an environment where government service was seen to be a good thing, a useful thing, even a noble thing. My father used to say to me that as far as he was concerned, there were only two really useful careers: one of them was teaching and the other was government service.

I had an uncle. My dad's sister married a very interesting man who was a Foreign Service officer, or half of his career he was with the Foreign Service, the other half he was with the Pan American Union. He eventually became deputy director general of Pan American Union before he finally retired. I really think it was my Uncle Will Sanders who turned me toward the Foreign Service as opposed to some other government agency or government service in a broader sense, not so much by lecturing or trying to overtly proselytize me for the State Department or the Foreign Service, but just by his example and by knowing him, living around him, and associating with him, I think I was turned toward the Foreign Service.

Q: Can we get a time frame here, Dick?

SCULLY: This was basically in the 1940s, 1950s, when I was growing up, going through high school, went off to college in 1953, the University of Virginia.

Q: You lived in Virginia?

SCULLY: We lived here in the Washington area over in Alexandria for years while my dad worked for the government. So I grew up in the Washington area. My Uncle Will also lived in Washington when he wasn't overseas, and they were overseas a few times. He was DCM in Santiago, Chile, at one point, and earlier during the Second World War he had

been on the Inter-American Defense Committee in Montevideo, but other than that, he was in Washington.

Q: What was your work at the University of Virginia?

SCULLY: I was a history major and I was in the ROTC program. I was a rising naval officer.

Q: Was this the end of World War II?

SCULLY: No, this was from 1953 to 1957 that I was at university.

Q: So this is the Korean period.

SCULLY: Post-Korean War, yes. When I was on active duty in the Navy, we weren't shooting at anyone. It was after Korea, but before Vietnam.

Q: So what we might characterize these days as "government wasn't too bad" a period.

SCULLY: It was not seen as bad; it was seen as good, I think.

Q: I wish we could turn this interview into that subject, but we can't. Now let's return to how you joined the State Department and the Foreign Service.

SCULLY: After I graduated from the University of Virginia, I went on active duty in the Navy because of my NROTC commitment, and I had three years during which my career was laid out for me. Obviously, however, one thinks about what one will do after that, and a point came when I decided to apply to the Foreign Service. So I made my application to take the written examination, and when that came through, I took leave from the Navy a few days, came to Washington, took the exam here, then I was notified that I'd passed it, and I went through the oral. This would have been in late 1959, early 1960. I had my oral interview at the State Department, in the State Department building itself in early 1960,

and I was told that I had passed. I still had about six months left of active duty in the Navy, but the processing for the Foreign Service was lengthy—the security clearance, and you had to wait for an appointment and all that sort of thing.

So I got out of the Navy in the summer of 1960, and I still hadn't heard anything from the State Department; the paperwork was still going through. I got a job teaching public school in Norfolk, Virginia, essentially as a holding pattern until I would hear from the Foreign Service. In late 1961, I was notified that I had been appointed to the Foreign Service and that I should report to the State Department in January 1962 to go into the junior officer training class.

Q: This was almost a year?

SCULLY: It was better than a year. It was about eighteen months, actually, between the time that I had my oral interview and the time that I actually reported. It was about a year after that, that I was notified what the schedule was.

Q: I'm sure you know that thirty years later, the same complaint is still out there. I'm told it has been corrected, but I'll believe it when I see it.

SCULLY: I understand it may be even longer than that now, but in any event, that was pretty much the timing. So in January '62, I came up to Washington, and on the day after New Year's, I reported in and went into the A-100 class.

Q: A-100 being?

SCULLY: The basic junior officer training course, which was then a four-month course.

Q: Were you taught the skills of the trade, including visa adjudication?

SCULLY: Very little about visa adjudication or consular work that I recall. I don't have that clear a memory of the classes.

Q: They weren't too impressive?

SCULLY: No, I don't think that any of us were all that impressed. It's not like that classic professor in college that you never forget even fifty years later.

Q: Then you went off to the real Foreign Service?

SCULLY: Not entirely. During the A-100 class, everyone had to fill out a first bid list, I guess you'd call it.

Q: The druthers list.

SCULLY: Your druthers list. Exactly. For personal reasons, I asked for a Washington assignment, and, lo and behold, I got a Washington assignment. I was assigned to a program that then existed, known as the junior officer rotational program. They had it at posts abroad, but they also had a counterpart of it in the State Department. I was told that I was being assigned to what was then known as the Bureau of Security and Consular Affairs.

Q: This is central to the overall topic of the Abba Schwartz Foundation study of visas. Tell us what that Bureau meant, how much security was or wasn't part of it, and how it relates to the present Bureau of Consular Affairs.

SCULLY: The Bureau of Security and Consular Affairs had been created in 1952 by the Immigration and Nationality Act of 1952. It was a statutorily created bureau. It had in it, and the law also included in it, the Visa Office and the Passport Office. Those were the only two elements that the law actually specified were required to be included in it.

Q: Protection of Americans in jails, that sort of thing?

SCULLY: The Office of Special Consular Services was also part of the bureau, but it was not statutorily decreed to be part of the bureau. As I came to know the story—and at the

time that my assignment was made, I didn't know any of this—the bureau was created by the Congress over the protests of the Executive Branch. It was created for the express purpose of creating a bureau in the department that would be more under Congressional control than an administratively created bureau. It was intended to have control not only over what we now call consular work, but it also was intended to have control over the Office of Security, which is where the name Security came from.

Q: Security being terrorism, security clearances and protection of the Secretary of State?

SCULLY: Primarily, in those days, security clearances and protection of the Secretary of State. The issue of international terrorism really didn't exist in that form in those days.

Q: So they were bodyguards, and "Don't be a commie" sort of thing?

SCULLY: Exactly.

Q: Was this because of [Senator Joseph] McCarthy?

SCULLY: Yes. A lot of this was related to the McCarthy period, and it must be understood, in order to have a sense of what was going on and how this came about, President Truman vetoed the Immigration and Nationality Act, and a Democratic Congress overrode his veto. He was much vilified for this. He was much admired in liberal circles for having vetoed it, much vilified by others for having vetoed it.

Q: Why did he veto it?

SCULLY: He vetoed it for several reasons. First of all, he vetoed it because of the national origins quota system which he objected to.

Q: Is this the first time a quota was set up?

SCULLY: No, this was perpetuating quotas that had been set up many years before. Truman felt strongly that the quota system should be abolished, that it was racially discriminatory and unworthy of us and unsuitable for us in that day and time.

Q: So this was sort of his liberal pleasure in his vetoing it; he was speaking out for equity.

SCULLY: Exactly. He also vetoed it because the '52 act codified and expanded upon provisions excluding communists and other “subversives,” which had really had their origins back at the end of the First World War, but which had not been as all-encompassing, detailed, as tightly drawn as many of the people in those times, in that period of extreme anxiety over communism, wanted.

Q: I remind the reader, 1952, 1953.

SCULLY: Correct. So this was the bureau. The bureau was created as part of that instrument. At the time I was assigned to it, I really didn't know anything about it other than I knew two things. First of all, as Americans know, this is a nation of immigrants. We all know that. We learned that in school. So I knew that. I also knew, or thought I knew, that the 1952 act, which was referred to as the McCarran-Walter Act, was a nefarious McCarthyite document that all right-thinking liberals, especially people who grew up in the New Deal, abhorred.

Q: You thought these thoughts because of your family situation?

SCULLY: Yes. This is the intellectual and political milieu in which I had grown up. So I must say I was a little bemused by the notion that I was going to be assigned to this bureau.

Q: The Act was fully in force?

SCULLY: Yes. Remember now, this is ten years after the enactment of the act.

Q: Who was the boss then?

SCULLY: At that time, the Administrator, as the title was then called, was Abba Schwartz, whose name I heard initially when I was first assigned to the bureau.

Q: How long had he been on board when you came on?

SCULLY: Only a matter of months, as a matter of fact.

Q: He succeeded whom?

SCULLY: He succeeded Salvatore Bontempo, and Mr. Bontempo had been Mr. Kennedy's first appointment to this job. I was told that Mr. Bontempo lasted about six or eight months, and then at Christmas of 1961, he informed his staff that he was going home for Christmas vacation and would be back after New Year's, and never returned.

Q: What were his qualifications in the first place?

SCULLY: That I do not know. He was gone by the time I got there, but there was some folklore about Mr. Bontempo. Apparently in the spring of 1962 or maybe in the early summer of 1962, Mr. Schwartz was appointed to succeed him, so that by the time I came out of the basic junior officers course, followed by French, followed by the old consular course, and actually reported to the bureau to start my two-year assignment in the summer, in July of 1962, Schwartz was already on board. I don't know how long he had been there. I doubt that it had been more than three or four months.

Q: You were a rotational officer in this bureau. What did you do?

SCULLY: The schedule that I had laid out for me was that I would spend six months in each of the four major constituent offices—the Visa Office, the Passport Office, the Office

of Special Consular Services, and the Office of Refugee and Migration Affairs, which was then part of the Bureau of Security and Consular Affairs.

Q: When was it separated from that bureau?

SCULLY: 1965.

Q: Not too long thereafter.

SCULLY: Not too long thereafter. So in July 1962, I reported to the Visa Office for the first of what was supposed to be my four six-month stints in each of these four offices to complete the two-year tour. I did several things during those six months. I worked for a while in the telephone inquiries branch, which was also public inquiries branch. It was in the north lobby of the main State Department building. We received not only telephone calls from the public, but walk-ins from the public, because there weren't any building guards and there weren't any passes. There was a very nice receptionist who directed people to wherever they wanted to go, but there was no security in terms of scrutinizing your credentials for entry. People just entered.

Q: We won't get into the changes that have taken place in thirty years, but that's probably one of the more dramatic ones. What kind of queries were these? Were these people who wanted their relative to get to the United States faster?

SCULLY: Yes. They were all the standard kinds of inquiries. “How does my relative get a visa?” “Why didn't my relative get a visa?” “What does this form mean?” “What do I do?” “If I want my friend to visit me, how do I go about that?” “My cousin would like to come and live with me in New York. What should I do?” “Why won't the consul let my cousin from Italy come and visit me in New York?”

Q: Or, “The consul has declared my cousin to be a communist”?

SCULLY: No, we didn't get so much of that. Not so much in the telephone inquiries and walk-ins. That tended to come in more by letter and through congressionals and that sort of thing.

Q: Congressionals being our term for letters from members of Congress.

SCULLY: Yes. One of the interesting things we did get, if you recall that period, this was about a year after the Bay of Pigs invasion. The Bay of Pigs was in the spring of 1961. This is now the summer, early fall of 1962, just before the Cuban Missile Crisis. There was a very, very, very heavy outflow of Cubans from Cuba still coming to the United States, and there was a whole series of special rules that had been set up, and an awful lot of our inquiries were specifically about, “How do I get my uncle from Cuba here?” One of the ironies was I had just finished studying French and had come out with a 3+3+, and the language I needed was Spanish.

Q: Which you learned quickly?

SCULLY: I learned a certain basic Spanish vocabulary, because there were certain repetitive questions and repetitive answers that you could pick up.

Q: Did you feel Abba Schwartz's presence in that job?

SCULLY: No, not in that job. It was too far down the ladder for me to feel his presence.

Q: But you knew he was the boss?

SCULLY: Yes, I knew he was the boss. We all knew he was the administrator. But I was only in the Visa Office from July until January, and I worked in that division, I worked in the written inquiries unit for a while, answering letters. I'll give you a little sidelight on that. The first thing that I was taught when I went into the written inquiries unit was how to forge the signature of the director of the Visa Office, because in those days congressional letters

on visa matters were signed by the director of the Visa Office, unless he felt they had to go upstairs to the Administrator. They were not signed in the Office of Congressional Relations. That's a change in the way the department does things.

Q: We should explain that now every letter that goes to a congressman must be signed by the Office of Congressional Relations, not that they especially understand what they're signing, but that is the tradition which has been now for maybe fifteen years.

SCULLY: Actually, that change was made in 1963, and I was collaterally involved in the outcome of that.

Q: Back to your final days in the Visa Office.

SCULLY: I had this six-month tour. I also spent a brief time during those six months in what was known as the Cuban Visa Waiver Processing Office. This was an office that processed applications for authorizing the entry of Cubans under these special rules that had been set up.

Q: Things haven't changed much, then, have they? Special rules for special circumstances.

SCULLY: Exactly. The players change, but the game doesn't change all that much.

Q: Reality doesn't change.

SCULLY: I spent my six months getting some experience in each of these three things. Then in January, I went over to the Passport Office to start my six-month tour over there.

Q: At that time, the Passport Office was headed by a woman of great renown.

SCULLY: Yes. She was a well-known public figure, shall we say. Frances G. Knight was one of the more formidable political figures in Washington for probably twenty-five years.

Q: A little bit more to the uninformed reader: Why was she so formidable and how did she get there?

SCULLY: The Passport Office had a very interesting history. It was run by a woman named Miss Shipley, generally known as “Ma” Shipley, from the 1920s till the 1950s, when Miss Shipley retired.

Q: Thirty years.

SCULLY: Yes. She was there from somewhere around '25, '26, '27, along in that vicinity, up until '55. Frances Knight had started out, I gather, as a New Dealer, and had come to Washington as a young woman in the 1930s, but like a certain number of people who started out in the New Deal, they started veering toward the right. She wound up, I am told, as a very close associate of Senator Styles Bridges of New Hampshire, who was a well-known conservative Republican of those days. In the Eisenhower administration, when the first Administrator came to the job in 1953, Scott McLeod, the first administrator of the bureau, he brought Miss Knight with him as a special assistant. So she was his special assistant for a couple of years until Miss Shipley retired. Then he appointed her director of the Passport Office to replace Miss Shipley. She was a woman of great political acumen and wide political contacts, and she cultivated her political contacts very, very carefully.

Q: Just because it was part of her nature?

SCULLY: I think it was part of her nature.

Q: A political animal.

SCULLY: She was a very political animal. Her husband, Wayne Parrish, was a very powerful man in the aviation industry. He published Aviation Week magazine. I think at one point he was president of the Air Transport Association. He was sort of an aviation

pioneer, and was a very, very powerful man in the aviation and travel industry. So she had quite wide political contacts and influences through that. The Passport Office was a natural sort of companion to the travel industry, etc., because, obviously, if you're going to travel abroad, you have to have a passport.

Q: To bring this up to date, we should say that Frances Knight's husband has now died and she has had a series of serious illnesses and strokes. My understanding is she is near her demise.

SCULLY: I understand she, while still alive, is almost totally disabled and unable to speak because of the stroke she had.

Q: But you had the good fortune of being assigned to her.

SCULLY: Again, I was assigned into the Passport Office in a very junior job, way below her level. Again, you heard these various things, but they didn't really mean anything to you.

Q: What was your job there?

SCULLY: I worked in the Washington Passport Office processing passport applications.

Q: A line job.

SCULLY: A line job. I don't know what ever would have followed that, because after I had been in that job for about three weeks, I got a telephone message that the Executive Director of the Bureau, the chief administrative officer of the bureau, wanted to see me.

Q: Who was that?

SCULLY: A fellow named Sy Levinson, Seymour Levinson. He was a Foreign Service officer. I believe he was an administrative specialist. He was assigned as the executive

director, or chief administrative officer of the bureau. He had interviewed me once while I was in the Visa Office, and it was a very routine interview, just, “How do you like it? Do you feel you're learning anything?”

Q: He had responsibilities over you as a rotational officer, for two-year training.

SCULLY: Exactly. So I assumed that this was just another routine interview, and I went up to his office at the appointed time.

Q: Never trust an executive officer.

SCULLY: Executive director. That's right. So I went in, and he sat me down. Instead of giving me a routine interview, he said, “Mr. Schwartz needs a staff assistant and he doesn't have one. You're going to be his staff assistant. Would you please go upstairs and see Mr. Mace, the senior deputy administrator, and he will explain to you what it is he wants done and give you all the particulars.” So he took me upstairs and introduced me to Charlie Mace, who was a career Foreign Service officer, primarily an admin officer, I think, in his career, but he was the senior deputy.

I was introduced to Mr. Mace, and Mr. Mace explained that before Mr. Schwartz had arrived, there had been a great reduction in force in the size of the Bureau front office, the Administrator's immediate office staff, and that there was no staff assistant, and they were in serious need of a staff assistant. It had been decided that I should fill that job. He explained to me that my job was to control the paper flow and see to it that Mr. Schwartz and he, Mace, and the other deputy, Ed Lyerly, saw everything they needed to see, but were never bothered with anything they didn't need to see.

Q: Did he describe Mr. Schwartz as a person?

SCULLY: No, he didn't describe Mr. Schwartz as a person, as a matter of fact. I was introduced to Mr. Schwartz later that same day, obviously. I subsequently discovered why

he perhaps forbore to describe Mr. Schwartz. I later discovered that one of the reasons that I was picked for this job. I pieced this together, because nobody told me this per se, but I pieced it together from other information.

Q: That's part of the Foreign Service, isn't it? You're supposed to be deductive.

SCULLY: Right. I was in this junior officer rotational program, and, as such, I was on the payroll, or on the staffing pattern, of the Personnel Bureau. I was not charged against the personnel ceiling for the bureau in which I was working.

Q: You were a "freebie".

SCULLY: I was a freebie. You got it. That's exactly right. Mr. Schwartz, it turned out, was in a big political fight with Frances Knight over a whole array of things, and one of the things she was charging him with was waste and empire-building and all that sort of thing.

Q: But he was appointed by the president.

SCULLY: He was appointed by President Kennedy. You must understand that Miss Knight's power transcended political parties. She was politically close to members of Congress that ranged all the way from J. William Fulbright on the left, to Carl Mundt on the right, passing through Hubert Humphrey somewhere in between.

Q: That's Congress, and then there are those who understand that Mr. J. Edgar Hoover played a role in this.

SCULLY: She was very closely wired in to J. Edgar Hoover, and I'll never forget the day that Abba & Co. discovered that since she had come on board in 1955, she had had a direct telephone from her desk to J. Edgar Hoover's, and no one else in the Department of State knew that up until one day when Mr. Schwartz accidentally discovered it and had the phone disconnected.

Q: He was allowed into her office and he was allowed to disconnect it?

SCULLY: I don't remember how he discovered this. I can't remember the circumstances of how this came to light, but I remember its coming to light, and everyone, not merely in the Bureau front office, but I think even up on the Seventh Floor, being stupefied at the thought that the director of the Passport Office could pick up a phone on her desk and get J. Edgar Hoover to pick up his at the other end. It was that kind of a direct, almost hot-line phone.

Q: What would you speculate they talked about on that hot line?

SCULLY: They were both strong, visceral anti-communists. Frances Knight controlled the issuance of passports for foreign travel. J. Edgar Hoover had great investigative interest in foreign travel of people he considered to be subversives. I think they collaborated on these things.

Q: She would prevent passport issuance?

SCULLY: Or feed him information about passport issuances and back and forth. I think there was a very close exchange of information back and forth that flowed between the two of them. At least that is the impression one has always gotten.

Q: Back to Abba Schwartz's entry into this “tiger's nest”.

SCULLY: In any event, I was essentially told that would be my job. I was not given a secretary. Obviously I couldn't be given a secretary because I didn't exist on the staffing pattern.

Q: Also you were but a junior officer.

SCULLY: Nonetheless, I desperately needed a secretary, because I had the duty of controlling everything that went into that office and everything that went out of that office,

both as to timing and making sure that the right people saw things, that deadlines got met, that paper got vetted. I had 100 percent responsibility for that.

Q: I take it, then, that you were hired to this job, in fact, worked with Abba Schwartz for a while. Let's now hear more about it. Tell us what you did there.

SCULLY: If you know the complex of offices that makes up Room 6811, it's a series of offices that run laterally. At one end is the now Assistant Secretary's office, then called the administrator's office, and it runs from that point in a westerly direction, and there are about six or seven offices that make up that complex. Initially, I was put in an office down at the far end, all the way at the other end from the Administrator's office, with some people who had been held over from the prior administration. By that I mean from Bontempo; I don't mean from the Eisenhower administration. I mean from the prior regime. Very nice people who were very helpful and very friendly, but who were basically just sitting there until they could be placed elsewhere. As is customary when you get a new Assistant Secretary, the people who have worked for the old one very frequently move on or are moved on.

Q: These are political appointees or career people?

SCULLY: Some were political and some were career. One of them was a fellow named Lawson Moyer, who was a career officer, whose primary involvement was with security matters and things like that. Another one was a man named Michel Cieplinski, who started out as a political appointee, but, interestingly enough, is still around the Department of State. I see him still, even though he is in his middle eighties. He was Acting Administrator in the interim between the departure of Bontempo and the arrival of Schwartz. When Schwartz came, he was a fifth wheel and he was only there for a few months until they got him placed elsewhere. His primary function was liaison with the East European ethnics in this country and also the care and feeding of Congressman John Rooney. Mr. Rooney

was chairman of the International Operations Subcommittee of the House Foreign Affairs Committee in those days, which controlled the State Department appropriations.

Q: He was “Mr. Power”?

SCULLY: “Mr. Power.” That's correct. I stayed down there at the far end for about three or four months until one day I was informed that Mr. Schwartz couldn't operate effectively with me that far away from him. Therefore, I was going to be moved into what is now the Consular Affairs Bureau conference room, which is immediately adjacent to the Assistant Secretary's office. In those days, it wasn't a conference room; it was an office that was shared by me and a very nice black man named Frank Better, who was the messenger. He delivered mail, and since I handled the mail, it worked fine for the two of us to share an office.

Q: Tell us your impressions of Abba Schwartz over the period you were with him. What was the period? Tell us how you saw him.

SCULLY: I went up there in January of 1963. I spent several months down at the other end of the complex, as I indicated, so this was probably the spring of 1963 that I moved down to this office immediately outside his office which had a communicating door. I was there from that point until the summer of 1964, when I was assigned overseas. In those days, I was a Foreign Service officer.

Q: Waiting for your first foreign assignment.

SCULLY: I had this two-year tour to complete in Washington. Then in the summer of 1964, I went off to France. So I was down there immediately next to him for probably fifteen months. I saw him every day, a number of times every day. He was a very, very pleasant and affable man. He could not have been kinder to me. He had two characteristics, I think, that caused him serious problems as a government bureaucrat, even as a political appointee.

First, his work habits were very disorderly. He flitted from thing to thing; his attention was easily diverted. He simply did not fit well into a bureaucratic system which had highly standardized routine and channels of communication. He would, for example, pop into my office—next door to his—and go through the incoming mail on my desk. If something caught his attention he would simply take it away with him.

He once did this with a memo from one of the regional bureaus, before I had even seen it or had a chance to record its arrival. Later, the regional bureau called to ask when they would expect and answer. I had no idea what they were talking about, of course. I asked everyone in the office, including Schwartz himself, about the memo. Everyone, including Schwartz, denied ever having seen it or heard of it. Only several days later, after much additional to-ing and fro-ing, did Schwartz recall that he had indeed taken the memo off my desk, walked down to the office of the Legal Adviser with it and passed it on to a Deputy Legal Adviser for comment.

His other problem in that position was his unwillingness to coordinate with other interested offices—obtain necessary clearance, in our in-house jargon. Now, anyone who has ever worked in a bureaucracy, wherever it might be, has faced this problem and been frustrated by it. One hates to be told that one's carefully developed plan will have collateral effects which one hadn't seen, etc. And, of course, the process can be carried too far—degenerate into mindless word games or interminable theological disputes. Nevertheless, one must come to terms with this, if one is to function effectively in a bureaucratic structure. Schwartz wouldn't.

Once, for example, he had personally drafted a telegram on some important issue or other. It was also important to the European Bureau and the Assistant Secretary for European Affairs, Ambassador Tyler Thompson, was listed for clearance of the telegram. Thompson's office called to report that he wanted certain changes. The secretary informed Mr. Schwartz of this and he instructed her to delete Thompson's name from the telegram

and send it as he had drafted it. His attitude was that, if Thompson wouldn't agree with him on the matter, he would ignore him.

These characteristics inhibited his effectiveness and, I think, also contributed to his political downfall in 1966.

Q: Government bureaucrat. This was his first time as a government employee?

SCULLY: As I understand it, it was. He had been in the Navy during the Second World War, but I don't really think that counts in the same way we're talking about being a bureaucrat. He had been very political. As I understand it, he had been a prot#g# of Eleanor Roosevelt before the Second World War. After the Second World War, he had been much involved in refugee matters and worked with the International Refugee Organization, but I don't think he ever had a regular bureaucratic position, even politically appointed, before he took this particular job.

Q: How did he get connected with Eleanor Roosevelt?

SCULLY: That I'm not quite sure. I've read some books on Mrs. Roosevelt and the Roosevelts, and I've read Joseph Lash's books. There were a lot of young men who came out of college in those days who were greatly attracted to the New Deal, to the Roosevelts, to things like the National Youth Administration, and a number of these other organizations. Mrs. Roosevelt was sort of the sponsor and patron of a lot of these organizations, and I think she attracted people who were young, just out of college, liberal, looking for ways to improve the world. I think she attracted people like that.

Q: He was a lawyer by profession.

SCULLY: He was a lawyer by profession, yes.

Q: Was he associated with a company?

SCULLY: Yes, he was associated with a firm at one point. There was a guy named Jim Landis, who was very well known in the New Deal.

Q: New York?

SCULLY: No, in Washington. There was also a firm called Surrey & Kavasih here in Washington that he had been associated with at one point. I think Walter Surrey was, again, much of that same generation, much of that same political philosophy.

Q: He certainly was a Democrat.

SCULLY: Oh, very Democratic. Very much.

Q: He got connected into the Kennedy administration.

SCULLY: I'm not quite sure how he became connected with the Kennedy family, but he was personally connected with the Kennedy family. He knew Bobby Kennedy personally. I think he probably knew President Jack Kennedy as well.

Q: His appointment obviously came through a Kennedy connection.

SCULLY: Perhaps not entirely. Because of his association with Eleanor Roosevelt, he had maintained a relationship with her. He was a prot#g# of hers, or well known to her, and also I think because of his work in refugee matters, he had become quite well known and very much connected with Congressman Walter of Pennsylvania, who was one of the authors of the 1952 Immigration Act.

Q: Liberal Democrat?

SCULLY: Mr. Walter was not that much of a liberal. He was a Democrat, but he was not that much of a liberal Democrat. Mr. Schwartz knew him, knew him quite well, and seemed to be on extremely good terms with him.

Q: He got the appointment as the administrator, and there you were as his staff aide.

SCULLY: As I say, he was a very affable man, always in a good humor. He was very kind to me.

Q: Always in a good humor? He never blew up at you?

SCULLY: Not at me nor in my presence. He may well have had moments when he became highly exercised and infuriated about things and become seriously angered, but I don't recall ever experiencing that. He was a man of very good humor.

Q: What were his motivations? What drove him the most, as you saw him as his staff assistant?

SCULLY: I think what drove him, in a political/philosophical way was a very strong liberal motivation. I think he wanted to open up our immigration system, he wanted to overcome a lot of what were perceived to be very narrow views and approaches that the 1952 Immigration Act and its predecessors reflected. He had two major accomplishments in the field of immigration. Under the Immigration Act, aliens who were members of, or affiliated with, communist organizations were excluded from admission. Now, when for an alien who was seeking to enter temporarily, the law did authorize that ineligibility, that excludability, to be waived. Throughout the period from the enactment of the Immigration and Nationality Act in '52 up until the advent of the Kennedy administration, that provision was implemented narrowly—a waiver would not be recommended to permit the temporary entry of someone who was excludable because of a communist affiliation unless there was an affirmative reason, unless the government could find an affirmative reason to do so. This meant that the majority of application waivers were never granted, because if there had to be an affirmative reason to support permitting someone to enter, it was much easier and much simpler just to say, “Well, there isn't any affirmative reason. Therefore, we

won't.” One of the things that President Kennedy wanted done, and which Mr. Schwartz achieved, was to absolutely reverse the whole approach to that.

Q: Do you feel Kennedy really wanted this?

SCULLY: I'm given to understand that this was one of the things that President Kennedy instructed Schwartz to bring about—a change in that perception. It was not possible at that time, I think, to change the law, but it was possible to change the way in which this waiver provision was applied, the approach that was given to it.

Q: Does this really now bring us towards the subject at hand, the visa function, how visas are granted or denied?

SCULLY: Yes. Exactly.

Q: He is the administrator of the visa issuance process.

SCULLY: Exactly. It was at Schwartz's direction that in 1963 the instructions on that issue were rewritten 180 degrees.

Q: But the Attorney General, as I understand the law, is the real mentor of the interpretation of the act.

SCULLY: That, of course, is true in the sense that all the State Department can do, for example, in this particular aspect of the law is to recommend that the alien be permitted to enter in spite of his ineligibility. Only the Attorney General can ultimately approve that recommendation. Remember, the Attorney General in those days was Bobby Kennedy, the president's brother. So the two of them were working on this quite closely.

Q: So Mr. Schwartz was not doing this willy-nilly under instruction of the president; he knew that there was the other part of the triangle or angle that it was going to work.

SCULLY: Exactly. He was obviously a close personal friend of Attorney General Bobby Kennedy. I had occasion to observe him in his office talking to Kennedy on the phone. One of the more wonderful incidents that occurred, it doesn't have anything to do with the waivers and ineligibility, but it does say something about power and how things get done and Mr. Schwartz's relationships. On a certain day, the Countess Tolstoy, who was a granddaughter of the famous writer Tolstoy, came to see Mr. Schwartz with a very sad story about what she referred to as the Old Believers. These were ethnic Russians who, in the seventeenth century, had resisted a reform in the Russian Orthodox Church and had been persecuted for resisting this reform. This small group of perhaps a few hundred or a few thousand, it was a small group of sort of die-hard resisters in the face of the persecution by the Orthodox Church for their refusal to accept the reforms, had left Russia and had moved into a remote area of Turkey, where they had lived relatively peaceably, I gather, for nearly three centuries. But they had reached a point at which in their isolation in this Muslim country, they had intermarried to the point that they were faced with either perpetuating themselves by marrying within prohibited degrees within the church or marrying amongst the local population and, therefore, being absorbed into the Muslim population and disappearing as a group.

The countess was most anxious that something should be done for this remaining group, and she proposed that they be granted admission into the United States, and she would resettle them and they would be able to maintain their community and there would be other Russians that they could marry, etc., and it would preserve this group.

Q: But they couldn't come under normal visas.

SCULLY: They couldn't come under the normal immigration system at that point.

Q: They were refugees?

SCULLY: They weren't actually refugees either, in the proper sense. They were a category that really simply didn't quite fit. They didn't fit under the normal immigration system, they didn't really quite fit properly as refugees because they weren't threatened by the Turks. They were threatened by something else, not by political persecution, not by religious persecution, or any of the things that would normally make one a refugee, but they were threatened with extinction because of the situation in which they found themselves. They were threatened with extinction as a community, as a distinct community, not as individuals. So it was one of these situations that you couldn't really properly categorize anywhere.

Q: Maybe like the Armenians felt.

SCULLY: Yes, perhaps. In any event, the countess came to see Mr. Schwartz and made an impassioned plea for some assistance from the U.S. government. So Schwartz decided that he was going to respond to this, and I'll never forget it. The first thing he did was to call Congressman Walter, to explain this problem to Congressman Walter, and to say that he recommended that they be granted parole, to be paroled into the United States for humanitarian reasons, which is a legally permissible thing to do. Mr. Walter's response was that he would have no objection to it as long as the Attorney General agreed to it. Mr. Schwartz assured him that the Attorney General had, in fact, agreed to it, whereupon Mr. Walters said, “In that case, it's fine with me. I have no objection to this being done. That's fine.”

The next call Schwartz made was to the Attorney General, and he gave essentially the same story to the Attorney General. The Attorney General said to him, “I'm perfectly willing to do this as long as it's okay with Congressman Walter.” And Schwartz assured him that, yes, indeed, it certainly was okay with Congressman Walter, so Bobby Kennedy said that was fine with him and he'd go along with it and would approve it. Schwartz completed the transaction.

I remember thinking at the time that this was sort of high-rolling, high-risk game-playing, but I guess Mr. Schwartz knew what he was doing because he knew his people.

Q: I thought you said you came from a political family. [Laughter]

SCULLY: [Laughter] Well, I got some real insights into how the game was played.

Q: You were there as a junior officer trying to learn the realities of being a good public servant. Mr. Schwartz, you're saying to me, was playing this role to the hilt.

SCULLY: I've thought back on those days, and I have had occasion to think that I learned things working for him as a very brand-new junior officer that probably it would be better if one learned incrementally over a much longer part of your career. Remember that I'd only been in the Foreign Service about a year when I went up there to become his staff assistant. I'm not sure it's necessarily a good thing when you're twenty-five, twenty-six years old, in your first year of government service, to learn all those things.

Q: My first assignment was staff aide to our ambassador in Paris, where I learned a lot of these things, too. Maybe it's good to learn it early. I don't know. Do you think he was dishonest? Did you walk away from that situation and, in retrospect, do you think he was dishonest, immoral, or unethical?

SCULLY: Oh, no, indeed. That's not at all what I'm saying. I think there are certain realities of the way the political game is played that are perhaps not consistent with an idealistic notion of the way the political game is played.

Q: His instruction was from the president of the United States, with the agreement of the Attorney General, the president's brother, to get on with some changes that were necessary to the 1952 Act, which the president of the United States, duly elected, felt were wrong. Secondly, he had an obstacle out there that he felt was a veritable obstacle to accomplishment of that, and that was Frances Knight, albeit a different part of the

argument. So what I'm hearing is that Abba Schwartz stepped in there under instructions with obstacles and proceeded, ethically, to do what he thought was correct.

SCULLY: Yes, I think that's right. I think that's a fair statement, Bill. It caused him some fairly serious political problems at a lower level. For example, the change in the policy on waivers, there were people in the Visa Office who strongly, strongly opposed that. Frank Auerbach, who was Deputy Director of the Visa Office, in his day he was a legendary figure. He died in 1966, I think, quite suddenly of a heart attack.

Q: He wrote the book.

SCULLY: He wrote one of the books. He contributed to writing the 1952 act. He was a special consultant to the Immigration Subcommittee before he came over to the State Department. He was a very strange man, but a very powerful man and a very conservative man. He and some of the other people in the Visa Office, I think, felt that Schwartz was betraying the security of the United States. Again, this is all part of that McCarthy thing. I don't know this firsthand, but I'm led to believe, and I think it's almost certainly true, that Auerbach and a couple of the other people who were like-minded in the Visa Office went and took their tale of woe to one Jay Sourwine, who, again, in his day was notorious. He was the chief staffer for the Senate Internal Security Subcommittee. He was connected with Senator Eastman. He had been connected with Senator McCarthy and Senator Jenner, and some of the better-known pro-McCarthy senators of that earlier period. Jay Sourwine took out after Schwartz.

Q: Did he do him in?

SCULLY: No, he did not do him in. He was not able to do him in, but he made life difficult for Schwartz.

Q: Let me stop for just a moment and jump to 1992. In looking back, with that as an example. We have policies given to us by our presidents, by our administrations. We, as

public servants, follow those instructions, guidance. But we might not agree with each and every one—take the consular area, for example. We have differences. Would you like to give a few words of philosophy, if you will? As someone who has gone through this for thirty-plus years, of different administrations, different ideological beliefs, with different methodologies, including running up to the Hill and ratting on a boss, would you like to philosophize a bit on this now?

SCULLY: It's a difficult subject, Bill. I've seen this go on. I was too junior at the time to be really directly involved in the things that were going on with Schwartz. I was a minion. I've become more senior since, and I've gotten involved much more operationally and substantively in things.

Q: In different administrations, with different leaders.

SCULLY: Yes. I think the first thing that you have to try to do as a bureaucrat is make sure that people are given to understand clearly, “These are the things you legally can do and these are the things you legally can't do.”

Q: Legally, under the law.

SCULLY: Under the law. Laws have certain limits, and depending on how carefully the laws are drafted, the limits are broader or narrower, but there's always some outer limit beyond which you really can't go.

Q: Did Mr. Auerbach, for example, go beyond that?

SCULLY: No, I don't think he did. His was a philosophical question. I think the way the law was written there, it was legally permissible to interpret it narrowly, it was legally permissible to interpret it in a broad sense.

Q: The law was written that way on purpose?

SCULLY: I think the law perhaps was written that way, yes. Whether it was done by design or whether it just came out that way is sometimes quite difficult to ascertain. One of the things I've found over the years is that in many cases what might appear to the outside observer to have been intended by the Congress and very carefully thought through by the Congress, in fact, wasn't. So that's a very difficult question to say whether it was purposeful or not, but the fact is, the net result of their drafting was a provision which gave one very broad latitude. It essentially said, “You can recommend and grant these waivers in your discretion.” That's very, very broad. The policy that had been adopted, that had been followed up to the Kennedy administration was to use that discretion very narrowly and have a very rigorous test.

Q: Basically to exclude people.

SCULLY: To exclude people and only to admit them with a very strong affirmative reason. Someone had to come forward with an affirmative argument, “We really must let this bad communist in, even though he's a bad communist, because it's affirmatively in our interest to let that bad communist in.”

Q: You're using the word “communist,” but there were other exclusions?

SCULLY: Sure.

Q: Was it generally a negative period? “Keep people out”?

SCULLY: I'm not so sure it was generally a negative period if you had somebody that might have had a criminal record ten years before or something like that, but certainly with respect to people whose excludability derived from communist affiliation, it was very negative.

Schwartz had, as a goal—and I am told that this did come, in fact, from the President—to change that policy and open it up. In fact, he did that. Now, Frank Auerbach and some of his other people strongly disagreed with the propriety of doing that.

Q: How did this guidance from Schwartz, interpreted by a subordinate, giving out instructions to the field, come to the field? What did the Consul General in London do with this apparently contrary...

SCULLY: In 1963, there was a rewrite of the instructions on this, and the revised instruction said that where an alien is excludable because of a communist affiliation, the government will ordinarily grant him temporary entry under this waiver unless there is an affirmative reason to keep him out. That was the instruction that was written and distributed to the field at that time pursuant to Schwartz's orders. Auerbach strongly disagreed with that. He couldn't do anything about the fact that the instruction had to be sent.

Q: Who was the director of the Visa Office?

SCULLY: The director of the Visa Office was Allen Moreland, a very fine man whom I knew slightly at the time, and have come to know much better since. He was in a very awkward position, because he was carrying out Schwartz's instructions and he himself was being sabotaged by his deputy, Frank Auerbach, who had very powerful Capitol Hill connections and was not somebody you could just summarily dismiss. Mr. Moreland has said to me subsequently that he was in a very bad position because Schwartz became convinced that Moreland was part of the problem, and didn't really understand that Moreland was trapped between Schwartz, on the one hand, and Frank Auerbach, on the other hand. Schwartz tended to perceive Al Moreland as part of the problem, and Moreland has always said to me—and I believe it, because Moreland is an extremely honorable man, he really is one of the most honorable men I've ever encountered—that that was simply not the case.

Q: It sounds to me, in our business, in the Foreign Service, in the State Department, that this is one of those wonderful opportunities where you got transferred overseas. Is this a good time now to go overseas? Tell us what you did next.

SCULLY: There were many adventures and “backings and forthings” in that fifteen months. I had a great deal of fun with Mr. Schwartz. If we weren't focusing so much on visas, I would talk a little more about Frances Knight and some of the machinations there. But the time did come, obviously, when the two-year period that I was assigned to spend in the Department expired.

In the spring of 1964, I was informed that I had been assigned to the American consulate in Nice, France, as the vice consul. So in July of 1964, I and my first wife departed and went to Nice. At that point, I sort of lost track of what was going on in detail in the bureau, and became much more involved in life in France and my function as a vice consul there.

Q: Princess Grace and all that.

SCULLY: Exactly.

Q: Which is a separate story, but let's keep the visa thread. You issued visas in Nice?

SCULLY: Yes. Nice was a small post, only a two-officer post. We did not issue immigrant visas, but we did issue non-immigrant visas. We had a small, but relatively regular flow of non-immigrant applicants, obviously primarily tourists, but the occasional student and a few exchange visitor visa applicants. We had the headquarters of IBM France in the Nice consular district, in a little town about fifteen miles to the west of Nice, and they had a very active exchange visitor program that they ran within their company for transferring junior executives over to IBM headquarters for various kinds of management training and that sort of thing. So we used to get those.

Q: But none of this heady stuff that you'd been engaged in in Washington really applied to your non-immigrant visa work in Nice?

SCULLY: No, not really. We also had an absolutely wonderful visa clerk, Foreign Service national employee. She was the Countess Olga Filatiev. She was the niece of the last head of the Imperial Russian Army Officers Association in Paris, who was murdered by the KGB in 1937, I think.

Q: So she certainly knew how to handle any communist applicants who would come in the front door. [Laughter]

SCULLY: She once said to me, we were discussing Kerensky, the last premier of Russia before the Bolsheviks took over in the fall of 1917, and I made the comment to her that Mr. Kerensky was living in New York or in the United States, in any event, and she looked at me with a very gentle smile and she said, “Well, you know, we believe that he's the one that brought the communists in.”

Q: He did!

SCULLY: The Countess Olga Filatiev was at the other end of that spectrum.

Q: She, Auerbach, and Frances Knight might have had a lot in common. Then you went on to Montreal?

SCULLY: In 1966, yes, I went to Montreal. There I was assigned specifically to the visa section.

Q: So there you could get a direct feeling for what Washington's policies and machinations meant to the field. Tell us about that.

SCULLY: It was very interesting. I arrived in Montreal in the fall of 1966. The post was preparing for Expo '67, the World's Fair, which was held in Montreal from April of 1967

through the fall of '67. I was assigned to the visa section. There was much concern about volume. It was clear that there was going to be an immense international attendance at Expo '67.

Q: Up to now we've spoken mostly of substance of the visa function, the admissibility issues, the details; the minutiae, if you will. Now we're talking about the other half, which has become today an overwhelming issue, and that is volume, the number of people moving to the United States and wanting to come. You were struck by it in Montreal for the first time.

SCULLY: For the first time it became an issue, because it seemed clear to us, from everything the Canadians were saying about their expectations of attendance at the World's Fair, there were going to be millions upon millions of international visitors to Canada from all around the world, and we fully anticipated that we were going to wind up with a major, major surge of visa applicants from among all those people who would decide, “I'm already in Canada. I want to go to the States.” They would not have gotten a visa in their home country for whatever reason, and the expectation was that there was going to be a gigantic avalanche of visa applicants.

Q: After all, they'd come all the way to Canada, and the United States is only thirty, forty miles to the south.

SCULLY: Just so.

Q: Maybe that's a good way to “sneak in the back door.” We must remind the reader that Canadians do not need visas. We're only talking about other nationalities.

SCULLY: That was one of the problems that we faced, was that since Canadian citizens didn't need visas, the normal flow of visa applicants in the consulate, while there and meaningful in terms of people passing through Canada or non-Canadian residents of the country, was radically smaller than it would have been if Canadian citizens themselves had

had to get visas. So the post was staffed around what would ordinarily be a workload that was way below what the population base in the district might normally have created if it had been a country other than Canada.

Q: The visa section in Montreal being maybe three officers and ten Foreign Service nationals?

SCULLY: Probably not more than that. I think there were two immigrant visa officers plus a supervisor. So you had two non-immigrant visa officers, two immigrant visa officers, and then the visa chief, and then maybe ten or so Foreign Service nationals, ten to twelve. That's not really a very large staff. It was quite appropriate for the volume that they had had without the influence of the World's Fair, but this was the issue that we faced—what to do with this anticipated huge surge?

Q: And especially in a nice, little, old Victorian, extraordinary inefficient building.

SCULLY: We were downtown in the Stock Exchange Building. That had happened just before I arrived in Montreal. They'd moved out of the Victorian complex up on McGregor Avenue and they'd moved downtown to Pl#ce Victoria, which was the stock exchange building. Only the visa section. The rest of the Consulate General was still up the hill on McGregor Avenue, but the visa section was down at Place Victoria on the ground floor of the stock exchange building. I think, in part, that move had been made in anticipation of the World's Fair.

Q: It gave a wonderful example of Quebec, Place Victoria.

SCULLY: Exactly. One of the things that I encountered when I got to Montreal has always fascinated me a bit. We were the second post in the Foreign Service to receive the Automated Visa Lookout System, AVLOS. The first post was Toronto, and that was because of the influence of the man I mentioned earlier, Mr. Moreland. Mr. Moreland, while he was Director of the Visa office, had been one of the pioneers in automation and was

really the father of the AVLOS. When he left the Visa Office, he became consul general in Toronto, so Toronto became the first pilot post for AVLOS. We became the second post that went on line with AVLOS, and Montreal was chosen as the second post precisely because of the World's Fair and the idea that having an automated lookout system would facilitate the processing of all these people.

I remember Neal Parks, who was chief of the visa section, and I used to sit and sort of fantasize about all the wonderful things we could do with AVLOS, and how we could send administrative messages and we could send in requests for advisory opinions and do this and do that and all the various things that one could do with it. In fact, for a while we persuaded the Visa Office to let us do things like that, so we were sending requests for advisory opinions by AVLOS messages and all this sort of thing, until we got caught at it. Something happened, one message went awry, and a congressional inquiry didn't get a response back, and there was much storm, and then the people in the Communications Division suddenly realized that here was this post abroad that was sending messages to the State Department outside of normal communication channels, and they issued a dictate that you couldn't do that anymore. So a lot of our wonderful plans went right up in smoke at that point.

Q: I think you've given us the first example of the difference between the field and the home office, and how the field has to make things work, and not always is the home office satisfied with that. And we're going to get you transferred after Montreal back to the home office, where all kinds of behind-the-scenes things happened.

But first, more impressions of Montreal. This is your last overseas assignment. What did you gain from this influx of visa applicants or other experiences in Montreal you want to share with the reader?

SCULLY: One of the things that struck me, as we were in the end of 1966 and beginning of 1967, we were struggling to get sorted out and get ourselves prepared for what

we felt was going to be an onslaught, there was a series of very strange triangular communications between Montreal and Ottawa, the embassy, and the department over staffing, what staffing we would get, how many officers we could expect, what we needed, and this kept going around and around. At a given point, it finally became apparent that we were talking off different pieces of paper.

The problem was the department was looking at a staffing pattern that they had and saying, “There are already X number of officers assigned to the consular section in Montreal.” Neal Parks and I were looking at the number of bodies that actually reported to work every day in the visa section, and it was noticeably smaller than what was on the staffing pattern.

Q: People were out sick, or what?

SCULLY: No, the slots were there, but the people weren't there or they were slotted against the consular section, but actually were in other functions, or maybe Ottawa had grabbed the position for something, and although the department staffing pattern showed there was a slot in the consular section in Montreal, it wasn't. I'll never forget, this finally came to the point that the DCM from Ottawa, Joe Scott, and the administrative counselor and Will Chase, who was the counselor for consular affairs—I can't remember the administrative counselor. I think it was Idar Rimestad, as a matter of fact. Came down to Montreal to meet with us to discuss this.

Q: Count bodies and heads?

SCULLY: Exactly. The consul general, Richard Hawkins, and Neal Parks, the chief of the visa section, and I met with these three gentlemen, and we spent some little time discussing this. It became apparent to me, as the discussion wore on, that nobody who was participating in that discussion had a clear fix on what Montreal's complement was, as opposed to how many people were there. I use the word complement. I don't know if the State Department does. In the military, the complement is the authorized number of slots.

A ship's complement is the number of personnel authorized to be assigned to that ship, as opposed to the number of people that are actually there.

One of the problems was that nobody had a clear fix on what Montreal's complement was, and, therefore, nobody could figure out how many slots were filled, what percentage of the slots were filled.

Q: Therefore, how many new ones you needed.

SCULLY: Exactly. We had been saying we needed five officers, and the department kept insisting we only needed three at most, and it finally became apparent that the reason was they felt we had more people than we had. It was one of the most bizarre exercises I was ever involved in, and I think it's something that is not altogether overcome, even today, twenty-five years later. I still see some anecdotal evidence that there are these misunderstandings between posts and the department about, “What is the complement?” And, “Where is Junior Officer Smith?” Junior Officer Smith is supposed to be in the consular section. That's what the staffing pattern says. But the chief of the consular section says, “No, Junior Officer Smith is working as the ambassador's aide. He's not in the consular section.” Only the personnel people in Washington don't know that. There's a great deal of that even today.

Q: My experience, picking up from that point and paralleling yours back here in the Department, is not only is that true, but it's magnified by ten, twenty, thirty times. Today we are so “understaffed,” we are bringing in substitutes (call them whatever you may) in order to solve this tremendous continuing burgeoning of the population. What you saw in 1966-67, over the next twenty, twenty-five years has been exactly the same—failure to count the bodies correctly—but maybe even avoiding counting the bodies correctly.

SCULLY: That may very well be. This may not be an accident.

Q: I think you've discovered on tour two in the field something that has continued and is probably far worse, and often becomes the pushing force behind decisions that really shouldn't be personnel oriented. Maybe you remember, Dick, Barbara Watson's expression at one point where she had to issue a certain number of visas, called the Silva case, in which all of a sudden hundreds and hundreds of visas had to be issued, and the answer from the administration, from the management of the State Department, was, "We don't have the bodies." To which I remember well she said, "Well, then you go to jail, Director General, for failing to carry out the requirements. I'm not." Personnel staffing, as you know, is vital.

SCULLY: A couple of other anecdotal things that I think reflect problems that still exist today. We were very experimental with AVLOS.

Q: Which is just the beginning of a whole series of highly computerized advances.

SCULLY: Exactly. You had a data entry clerk who sat at a terminal, and every visa applicant's name was entered into the AVLOS system, typed in by the clerk, and then certain keys were pushed, and what, in effect, was being done was that name was being matched against the database of names of aliens who had been found excludable.

Q: It typed it out on a long teletype-like, primitive, holed piece of paper.

SCULLY: Exactly. It was typed out on an old tickertape that was run through the machine.

Q: Clunkers!

SCULLY: The system was fine within certain limits. But I'll never forget, on a certain day we had a Portuguese applicant whose name was Gomes. So the operator who ran the thing cut the tape and put Mr. Gomes' name into the system. The printer started typing out all the Gomezes that were in the system. Needless to say, all of them were Spanish Gomezes with Zs, and this was a Portuguese Gomes, with an S. But it didn't discriminate

well enough. Forty-five minutes later, while it was still printing, I simply said, “Turn the machine off. We'll all go to lunch.” It was approximately noon. “Eventually it will stop printing Gomezes,” but it completely tied the whole system up for nearly an hour. I issued an order. I was chief of the non-immigrant visa section at that point, and I simply issued a decree, “No more Spanish names are going into the AVLOS system. They're all going to be looked up manually in the old visa lookout book, because we cannot afford to have the system run for thirty or forty-five minutes printing irrelevant names every time we enter one in.”

Q: There was nothing in the law, nothing in the regulations, nor instructions that gave you that authority.

SCULLY: Well, we still had the lookout books.

Q: Common sense.

SCULLY: But what that reflects, I think, is the limits of technology and the necessity to refine the technology and for human beings to make thoughtful decisions about how you're going to use the technology, because when you're doing a name search like that and you're using as your basic elements the name, the date, and the place of birth, you have to make certain decisions about the scope of the electronic search or the computer search that's going to be made. There's always a tradeoff between overloading that system with a very broadly defined search and thereby making it almost impossible to use the system, and making it so narrow that you're going to miss an entry that you really need to get. Those kinds of things cannot be solved by the technology; they can only be solved by people.

Q: Those words are words I heard from you many years later in the Visa Office, in a very responsible position, in which you said, “Officers in the field are commissioned. They are commissioned to act as sensible human officers, not as bureaucrats, but people with brains and common sense.” You certainly learned that in Montreal. You carried it back to

Washington. Can we bring you back now to Washington, where some of those practical experiences perhaps came from the field?

SCULLY: Yes. My tour in Montreal was great fun both professionally and personally.

Q: How did the onslaught of visa applicants go?

SCULLY: Actually, it worked quite well. We were ultimately given additional personnel. We managed to reconfigure the workspace.

Q: And they weren't all Gomezes?

SCULLY: They weren't all Gomezes. The volume increased substantially. It never increased quite as much as we had projected, based on some statistical analysis with numbers that came from the World's Fair organizing committee and those sorts of people, but I'd say it pretty close to tripled. We had anticipated more than that, but it pretty close to tripled. Thanks to the fact that we did have the AVLOS system and we did get extra personnel and did get some money to reconstruct the section so that we could get a better workflow, we were able to deal with it.

Q: And a lot of good common sense.

SCULLY: Although I have to say it was very amusing. We were a ground floor tenant in the Montreal stock exchange building, and, needless to say, our clientele was not exactly at the same socioeconomic level as the people that normally frequented the stock exchange building. One of my comic memories is this building manager in his uniform pacing back and forth through the lobby at about ten minutes to two, anxiously waiting for us to open for the afternoon so that this motley mob that was all out in his lobby could be taken in behind our curtained windows and hidden from the lawyers and the stockbrokers and other elegant people that were going through the rest of the building. But we managed to make it work, and it was fun and it was a very interesting experience.

Q: And those experiences from Nice and Montreal you brought back to the "real world."

SCULLY: [Laughter] Well . . .

Q: You were assigned to the Visa Office?

SCULLY: Yes, I was assigned back to the Visa Office in early 1968. Initially I was supposed to go into the anti-fraud branch, which was then under the Advisory Opinions Division under good old John T. McGill, who all the old-timers will remember, who was a great character.

Q: Define "Advisory Opinions".

SCULLY: Under the law, the consular officer's decision on the issuance or refusal of a visa is final. It's not reviewable, it's not subject to review either administratively by the secretary or anybody in the department or by the courts.

Q: You mean the ambassador can't tell the guy what to do?

SCULLY: As a matter of law, no. As an operational reality, it happens, because people's careers sometimes can be at stake. But as a matter of law, the answer is no. One of the functions that the Visa Office performs is to give advice and guidance to consular officers on interpretations of law, and we write regulations. The Visa Office establishes the procedures, the forms to be used, but it also has the function of providing interpretations of law for the use of consular officers in making their decisions. An attempt is made to furnish as much general instruction in your standing instruction manuals as you can, but you can obviously never anticipate every case, every fact pattern that a consular officer is going to encounter.

Q: So many of the officers on the line are new, first tour, second tour, maybe not well supervised.

SCULLY: Right. The big problem is you can never anticipate every fact pattern, so you can't write a standing instruction manual that covers every conceivable situation that an officer might encounter. So there is a procedure under which, if the officer encounters a situation that puzzles him, he's not clear on how the law applies to these facts, what answer the law requires on the particular facts, he can seek the department's opinion on the subject. It's referred to as an opinion, as opposed to an instruction, because it is not legally binding on him. It remains the officer's sole legal responsibility to actually determine the case.

Q: The Visa Office can't say, "You're wrong"?

SCULLY: We can say, "You're wrong," as a matter of law, but on the facts it remains the consular officer's final decision. The instructions on individual cases of this kind are referred to as opinions, but they are essentially guidance. "Given the facts that have been presented by the consular officer about the particular applicant, this is the way the law comes out."

In any event, initially I was destined there, but by the time I got back to Washington, I had been transferred to what was then known as the Security Division, which handled all the communist, espionage, and sabotage cases, possible ineligibility, questions about waivers. It dealt with vetting cases through the intelligence community to find out what intelligence information might exist about applicants, and all that sort of thing.

So I worked there from early 1968 up until the summer. It was an interesting experience. It gave me some good insights into what the dynamics of it are, how our relationships were with the intelligence community, what the perspectives were of people who dealt with that.

Q: These were not "advisory opinions" you'd give out, then? These were instructions to the post, "No, you may not issue a visa"?

SCULLY: No, they were still couched in terms of opinions. Let us say you had a Russian scientist who's applying. The embassy in Moscow would be under instructions to refer that case back to Washington so that the applicant's name could be checked through the intelligence community to see if there was any intelligence information about him.

Q: All Soviet citizens had to be checked?

SCULLY: Basically all Soviet citizens, all East European citizens, and there are, and always have been, other selected cases depending on situational things. In those days, this was SOP for Soviets, East Europeans. Of course, we didn't have people coming from the People's Republic of China in those days.

Q: This was before terrorism had gained an equal footing, if you will.

SCULLY: This was before that.

Q: No PLO and so on.

SCULLY: No, there was no PLO. The Irish Republican Army was not a big issue. You didn't have the Western European terrorist groups—the Red Army Fraction, none of these. These were just not issues. The issue in those days was espionage. If the result of these name checks with the intelligence community came back with derogatory information, let us say, identifying this particular Soviet as a KGB officer, that was a sufficient basis for denying him entry.

Q: And you would let the post know this person was ineligible.

SCULLY: That's right. Essentially it would be framed, “It is the department's opinion that Soviet scientist X is excludable because he's been reliably identified as a KGB.”

Q: What if we wanted him in the United States?

SCULLY: That issue only became an issue later. That was really not that much of an issue, because the issue of wanting to let people in, even though they had been identified as intelligence operatives, really didn't become a big policy issue until d#tente. So this would have been really basically several years later into the early 1970s, the Nixon administration and particularly the Ford administration. But in 1968, that was really not an issue. “If he's identified as a KGB or the Bulgarian or Polish equivalent, we're not going to let him in. It's just not an issue. Goodbye.”

Q: A party member?

SCULLY: By and large, party members were granted waivers with certain very limited exceptions. It was generally policy that we were not going to grant waivers to permit entry for party leaders from non-communist countries, for example, the French Communist Party, the Swedish Communist Party, the Argentine Communist Party. Senior functionaries of those parties typically were never granted admission.

Q: In those days, as well as subsequent days, that gave us most of our heartburn. Shades of gray, shades of political gray.

SCULLY: Also, to a certain extent the waiver was used for what I would call useful purposes. By this time there had been, dating back, I think, to the Kennedy administration, the beginnings of some of these various scientific and cultural and educational exchanges with the Soviets and other East European countries. One of the things they experienced there was that there was a terrific imbalance in that far more Soviets and Poles and Bulgarians and Hungarians were coming this way than were ever being allowed to go there. So, for every 100 Soviet/East European academics that came here, you might get three that managed to get permission to go there.

Q: Weren't there pressures on us to stabilize this inequity?

SCULLY: Yes, there were pressures, and I think there were pressures internally within the government, but there were also, to a certain extent, outside pressures to see to it that there was more balance. “Why aren't the Soviets and the Poles and the Hungarians and the Czechs letting American academics and scientists go there as researchers and scholars?” But, you see, what you could do at that point, you could use the waiver authority as kind of a club, and you could go to the Soviets and say, “Now, look. There have been thirty Soviet academics who have come to the United States since the last time you let one of ours go there. We're not going to let this one come in unless we see some American academic going over there.”

Q: So I'm hearing that the visa function here is not black and white. A person is not admissible or inadmissible. He is a direct function of the political realities of how an administration, or an element within the administration, wishes to use the visa function.

SCULLY: You've got to be fairly careful there, Bill, because what we're discussing here is a case in which, under the law as it stood, the applicant you're talking about was inadmissible by reason of his affiliation, memberships, whatever. But the law went on to say that even though he's inadmissible, he can be granted temporary entry in the discretion of the secretary of State and the Attorney General.

Q: Read that, “In our national interests”?

SCULLY: That was the issue about how do you use that discretion. This is where you sort of get into the policy/legal angle. Discretion is a very broad term, and by and large, the courts have said, not so much in this field, but where you have discretionary authority generally, the courts will not disturb a decision about how to exercise discretion unless they are convinced that the bureaucrat or the functionary who made that decision abused the discretion.

Q: But this is always in the name of the Secretary of State, isn't it?

SCULLY: Right. It's been delegated from the secretary to the assistant secretary and on to the Visa Office. There's a direct line of delegation authority. The law says the Secretary of State, but there are delegations of authority that delegate that to the assistant secretary.

Q: But that delegated person better well know what he's doing and know the Secretary's with him.

SCULLY: Exactly. The assistant secretary is the secretary's subordinate. All I'm saying is that the case doesn't have to be personally looked at by the secretary of State. It can be dealt with under a delegation of authority, but obviously the person who has that authority is going to have to exercise it in a manner consistent...

Q: And knows the secretary's policy direction.

SCULLY: Exactly.

Q: Romanian party members who for some reason need to come into the United States, the assistant secretary knows what the policy is on this, be more liberal, let them in, or whatever.

SCULLY: Exactly.

Q: He doesn't make it up on his own.

SCULLY: No. You're quite right. What you do, of course, is coordinate with the political officers who are in the regional bureau that's concerned. You're not making these decisions in a vacuum. Particularly on this use that I was describing on the academic exchanges, that decision was not one, or would not have been one that would have been made solely within the consular bureau; it would have been made between the European bureau, the Soviet desk, more specifically, and the consular bureau in terms of, “All right, we've now got an application from this Soviet academic. Do you all have any objection? Is

there any reason why we shouldn't recommend a waiver?" The Soviet desk would come up and say, "Well, we've concluded that it's time to send the Soviets a message. They haven't been letting American academics in, and we think what we need to do is ring their bell a little bit, make sure that they know that we're aware that they're playing these games and they're getting a lot more benefit out of this than our people are." So we think maybe it's time. We're going to tell the Soviets, "This academic is not coming. We're not going to let him come in." Maybe they might even have a particular individual American in mind, a professor from a university who had been attempting to go there.

Q: We remind the reader that Congress wrote this law and, therefore, is interested in these decisions by the State Department, be it by the Secretary or subordinates. How did Congress express its pleasure, dismay, questioning of this decision-making?

SCULLY: For a long time, Congress really didn't get into it. It wasn't until the late 1970s that it became an issue. It ultimately did become an issue.

Q: Is this the McGovern Amendment?

SCULLY: The McGovern Amendment in 1977, yes.

Q: How did that come about? We're jumping ahead a little bit, but since we're on this very important subject, let's take on Mr. McGovern.

SCULLY: The McGovern Amendment was the direct result of a very fascinating thing that occurred in the late Ford administration. You will recall that at that time Henry Kissinger was both Secretary of State and National Security Advisor. At that time, there was a man named John Volpe, who was ambassador to Italy. Mr. Volpe was a relatively powerful political figure, I think from Connecticut or Massachusetts. He had been a governor, and I think he had been a member of Congress, and he was quite a powerful political figure. He was the ambassador to Rome.

There was an election in Italy. In fact, there had been several elections in Italy. This was a period of particular instability in the Italian government, and they'd had a couple of elections in a two- or three-year period. Each time the Communist Party percentage of the vote crept a little closer to the Christian Democratic percentage. It was still below the Christian Democrats, but the gap was narrowing, and there was much speculation in those days as to whether either the Christian Democrats would eventually have to bring the communists into the government, into a coalition, or whether, wonder of wonders, the communists might become the plurality party, and what would happen. There was much concern over this.

Moreover, there was much interest in this in the United States, public interest, academic interest. So various academic institutions began inviting functionaries of the Italian Communist Party to come and speak in the United States on Eurocommunism, etc. There was much anguish within the State Department over what to do about these folks.

Governor Volpe, who was the ambassador in Rome, expressed the view that these people really should be granted admission, that denying them admission would make a public issue of it, would make them look like martyrs, would enhance them in the eyes of the electorate, and would probably result in their getting even more votes in the next election, and that taking it all in all, they ought to be admitted.

Mr. Kissinger and Mr. Sonnenfeldt didn't agree with that perspective at all. Sonnenfeldt was Counselor of the Department. Their perspective was that if we granted admission to these people, let them come and speak and be feted at these academic things, it would convey an impression to the Italian voting public that we somehow approved of the Communist Party and letting them in would, in fact, produce the results that Volpe felt would be produced by keeping them out.

This resulted in what I can only characterize, I think, as one of those struggles of the Titans, while we mere mortals down in the office sat and waited for which Titan was going

to win. I don't remember all the particulars, but I remember being bemused by a series of cables flying back and forth with thunderbolts and invectives and invocations and things in them. But Kissinger, indeed, was secretary of State and Volpe wasn't, so ultimately Kissinger prevailed.

In the meantime, much time passed while this struggle played itself out. The academics who'd invited these people started becoming restive and writing letters and making phone calls and asking members of Congress. The press became involved in it, and it all became a great embarrassment, especially when the objects of all of this were interviewed in Italy and were mildly saying, “Well, I'm quite happy to go at any moment the United States is willing to let me, but I guess I'm just too dangerous a person.”

So the net result of this was that Senator McGovern decided that we simply had to depoliticize this, that this was an intolerable state of affairs, so he introduced, as an amendment to one of our authorization bills, a provision which said that whenever you have a visa applicant whose only ground of inadmissibility is his membership in, or affiliation with, a proscribed organization, which was our sort of in-house jargon for communist and terrorist and other kinds of organizations...

Q: Versus a member of the KGB or something.

SCULLY: No, no. We're talking about mere membership or affiliation, and no other derogatory evidence. The Secretary of State should, within thirty days, recommend the admission of that individual or certify to the Congress that the individual's admission would be prejudicial to our security interests.

Q: This might be the first time we've identified the fact that the Secretary of State is responsible for recommending to the Attorney General. So the Secretary can't say yes or no for an inadmissible person; he has to recommend it to the Attorney General, and the Attorney General can say no.

SCULLY: That's correct, but you have to understand that historically when the Secretary made a recommendation, the Attorney General had rarely, rarely, rarely ever refused to concur. There is no doubt but that legally he has the authority and only he has the final authority, but over many, many years, the number of cases in which the Attorney General denied a recommendation, you could practically count on the fingers of probably both hands, probably more than one hand, but probably not more than two hands.

Q: And if he did, he knew that the President was with him or he had power.

SCULLY: Exactly. It was not an unknown thing, but it was very infrequent. So the reality was that in 99 percent of the cases, once the secretary or the department as an institution made the recommendation, then it went through, and the alien got the visa and came in.

Q: Back to the McGovern Amendment, it said that the Secretary had to respond within thirty days.

SCULLY: Again, I don't want to get too technical on it, but the Congress, in its infinite wisdom, used the word “should,” as opposed to “shall.” If it had said “shall,” as a matter of law that would have been absolutely crystal clear, mandatory. The problem that we encountered, and I was much involved in it at that point, because by that time I had gotten to the point where I was relatively more senior...

Q: You were assigned in the first place to...

SCULLY: I was in the Security Division, handling the security cases. I was only there for about six months. Then I moved over, after a brief detail back to the front office for the summer to cover a staffing gap, I came back in the fall from that and went into the Regulations Division.

Q: Where you spent the next twenty years.

SCULLY: Where I spent the next twenty years. Right about that point, I started going to law school at night, and over the next four years I earned my law degree at night while I was working there. That was in September '68, the beginning of that school year.

Q: And decided to leave the Foreign Service and work for the [U.S.] Civil Service.

SCULLY: In fact, I was approached on that. The chief of that division was a wonderful woman named Hallie Mae Pryor, who had been in the Visa Office for many, many years. She'd started out as a secretary and had gone to law school at night herself. By the time I came, she was a GS-15, as division chief, a really fine woman, a wonderful boss. She wanted to retire, so I was approached. “Hallie Mae wants to retire and clearly will in the very near future. We are looking for a new division chief.”

Q: Were there other people in that division, lawyers, civil service?

SCULLY: Not in the Regulations Division. The people below Hallie Mae were all Foreign Service officers.

Q: So they wanted continuity.

SCULLY: They were looking for continuity, and it was said, “We think you're a likely candidate for it. You are going to law school and you've made a good record so far. But we want continuity in that position and you'd have to leave the Foreign Service and became a civil servant.” Well, that coincided with my own personal feelings. Again, this was personal, not professional. But for personal reasons, I was thinking about doing that anyway, so it was a perfect match and I said, “It's done. I'm your man. I'm ready to convert.” In 1970, I did.

Q: So from 1970 until 1992, you've been a GS in what was then the legislation and regulations. Your present position is what?

SCULLY: I moved up. I'm an office director. I was in the division from '68 to '73. In '73 I became chief of the division, and I was chief of the division until '79, when under the administrative reorganization they created this office director slot, which I then moved up to, and that's where I've been since '79.

Q: Basically, the definition of what you were doing for most of that time involved congressional legal relationships and writing of the regulations?

SCULLY: Yes, legal and technical, involved with the policy, dealing with the Congress on policy issues because of my background in the legal and technical side of it. The things have to coordinate. Of course, I'd had field experience, so I had very broad experience. I'd been down in the trenches and I'd done this and that, and there just weren't that many people around who had that variety of experience.

Q: And you're now a lawyer who didn't talk like a lawyer. Now bring the McGovern Amendment into what was then to be your present job.

SCULLY: When I moved over to the Regulations Division in the fall of '68, I really pretty much left behind me the security side of things, except that there were some things that needed writing to be incorporated into the manual.

Q: You found yourself with a clear-cut new set of challenges. A lot of those new challenges were not only just trying to figure out how the job should be done, but also what kind of bosses you had. Put very bluntly, the leadership. You had Abba Schwartz as a leader when you were a junior officer. You learned a lot of things from him. Now you found yourself as a Civil Service employee charged with some pretty heady stuff at a period when maybe things were getting really very litigious and not only political, as some of the things you have already cited, but also very legal. Tell us, from a leadership standpoint, some of your impressions.

SCULLY: When I came back in '68, the director of the Visa Office in those days was a man named George Owen, and the Assistant Secretary was Barbara Watson. Each in his or her own way was an outstanding leader, people who were unique, and working for whom was one of those experiences that stays with you all of your life.

I want to talk about George first, because George Owen is a very little-known man. He's almost forgotten, I think, by most people, and I think he was greatly misunderstood when he was alive. He was a strange man, he was shy, in many ways withdrawn, but in his way he was a great man. He was a lawyer, but he wasn't merely a lawyer; he was a scholar of the law. He was a widely read man, a widely learned man, and he was a man who was deeply in some profound elemental way committed to the notion that the visa function was a matter of law, that it was involved with rules of law, that there were limits to what you could properly do, and that those limits were legal limits, and that we were bound, even though the courts won't review our decisions, the decisions of a consular officer, that we were bound to abide by the rule of law.

Q: It sounds like he was a man of ethics as well.

SCULLY: He was a man of the highest, almost superhumanly rigid ethical standards. I think he was one of the most completely ethical men I have ever encountered anywhere in my life.

Q: And yet knew the political realities of the world?

SCULLY: He understood political realities. He didn't particularly like them, but he did understand them. He had, for example, very, very strong ideas about dealing with the Congress. He understood that you had to deal with the Congress. He understood the way the political game was played with the committee staffs and that sort of thing. He could not, however, bring himself to play it directly, so basically he had B.J. Harper play it for him.

Q: Who was she?

SCULLY: She had various positions. When I first came back from Montreal, she was the deputy chief of the Regulations Division. The following year, she became chief of the Field Operations Division, and either the year or two years following that, she became one of the deputy directors of the Visa Office. She subsequently spent a year as a deputy assistant secretary for Barbara Watson before going to the Senior Seminar and going to Montreal as consul general, where I believe she was your direct predecessor.

Q: Mike Rives in between.

SCULLY: She ultimately came back to Washington and once again was deputy assistant secretary.

Q: So she really knew the Visa Office.

SCULLY: She really knew the Visa Office, she really knew Capitol Hill, she really knew the State Department.

Q: She was the outside man, then, for Owen. Did Owen not have relations with Congress?

SCULLY: No, he would talk to them. It wasn't that there was not a relation, but George had very rigid ideas about how you did that. He was very formalistic about it. He just could not bring himself to get too close.

Q: Above him, however, he had Barbara Watson, who was very close and understood Congress.

SCULLY: Barbara was a unique person. That's the only way to describe her. She was a black woman lawyer from New York. Her family was West Indian, I believe Jamaican

in origin. Her father was, I think, the first black federal judge in the history of the United States.

Q: Customs judge.

SCULLY: Her brother also was a federal judge. Her mother, I am told, was a very powerful political figure in Harlem back in the old days. We're talking now the period of World War I into the 1920s.

Q: Social leader of Harlem.

SCULLY: Social and political leader in Harlem. Barbara was politically connected with the Democratic Party, very strongly so, with John Rooney, whom we've mentioned earlier. But she was also politically connected with Senator [Jacob] Javits of New York, even though he was a Republican. She knew everyone in the black community and black establishment in this country. She moved easily in every circle of society.

Q: A lawyer by training.

SCULLY: She was a lawyer by training, and she had a brilliant legal mind and an incredible memory. She had the most sensitive political antennae of anybody I have ever encountered. She was absolutely a genius at the politics of a situation.

Q: As she said, you catch it with honey, not with vinegar.

SCULLY: She used to say, “I'll go down there to that hearing, and I'll bat my baby blue eyes at 'em.” We used to go down to those committee hearings of the Immigration Subcommittee, and she would walk into that room, and the first fifteen minutes would be spent with all of the members becoming revoltingly gushing about what a pleasure it was to have her appear and what an honor it was for Miss Watson to appear before them. I mean, it almost made you ill, the way they gushed.

Q: You did everything except describe her enormous physical presence. She was a very large woman who dressed like wise, large women do, impeccably.

SCULLY: The only thing I can compare her to, and I have compared her to this and it's the mental image, if you've ever seen a great ocean liner, the Queen Mary or one of its equivalents, a fully dressed ship, lighted, entering a harbor—

Q: With ultrasuede.

SCULLY: Barbara Watson's entry into a room was the equivalent of a great majestic ocean liner like the Queen Mary with all flags flying and brilliantly lighted, entering a room. She had that effect on a roomful of people. People stopped and turned and looked when Barbara Watson went into a room. Her mere presence commanded attention.

Q: Leadership is George Owen and Barbara Watson. Together they danced beautifully.

SCULLY: Exactly.

Q: How did they get along?

SCULLY: They really got along quite well. Barbara, I think, understood George probably better than George ever understood Barbara. I think Barbara understood that George was very useful and valuable.

Q: She knew her background would not be understood by everyone.

SCULLY: But at the same time, one of the things that was so incredibly impressive about her was that she had the self-confidence to know when to rely on people and how to rely on people. Since she commanded the spotlight merely by her existence, she didn't have to insist upon it.

Q: People respected her. I know of no one who did not respect her. They might not have agreed or might not have liked some of her methods, but everybody respected her, and she was a leader.

SCULLY: She was.

Q: Not only perforce of her position, but perforce of her personality and intellect.

SCULLY: Sheer force of her being, her personality, and intellect.

Q: Let's take that leadership from those two people, principally, and see how it affects you in what you were doing over the next few years in terms of your developing responsibilities as history began to change some of these things under that leadership, or certainly under Barbara Watson's.

SCULLY: I have to say that I was fortunate to the point of being blessed in being able to work for these people, because they gave me opportunities to do things, to learn things, to be involved in things.

Q: Give us some examples.

SCULLY: Immigration legislation. The 1952 act had been substantially amended in 1965, major amendments. One of my regrets is that I was overseas when that occurred and I was not directly involved. Abba Schwartz was crucially important to that change. Without him, I don't think it would have occurred. I am sad, now looking back on it, that I left and went overseas at what was a very crucial moment, because the process had started in 1963 and got going into 1964, and culminated in 1965, but in the middle of 1964 I left, so I was not a participant in the crucial time period.

Q: Still, the act of '65 certainly was more liberal.

SCULLY: Very much more liberal.

Q: More understanding, more human.

SCULLY: It abolished the old quota system, it substituted what is basically today's system, although it's been modified since then, but the basic conceptual structure of the system originated in 1965, even though it's been modified and tinkered with in a variety of ways.

Q: Pro-Irish or anti-Irish.

SCULLY: Whatever. But by 1969, it began to become apparent that there were still things that needed to be done. For example, one of the things that was clearly defective about the 1965 act was its treatment of immigration from the western hemisphere. They did not provide a preference system under the western hemisphere limit. They didn't have the orderly structure under that limit that had been established for the rest of the world.

Q: Was this really racist, or whatever word you want to use?

SCULLY: No, I think it was—

Q: Colonial?

SCULLY: No, I think it was just one of those cases where things hadn't been thought through 100 percent. They'd been thought through 90 percent, but not 100 percent.

Q: It just didn't include Latin America.

SCULLY: They decided that there had to be a numerical limitation on Latin America, but people didn't really think through that once you set up an overall limit, you need to have some way of apportioning that limit among different kinds of people in terms of relatives and workers. Once you set a limit, you really have to decide how you're going to apportion it.

Q: We lumped them all together as Latinos.

SCULLY: Exactly. I think that was just a failure of forethought. It was one of those things where the thought process stopped 90 percent of the way and didn't really get that last 10 percent.

Q: Is that what got us into the SILVA operation?

SCULLY: In part. That's another whole story. Beginning in 1969, the administration—and I think really this originated with Barbara—started proposing further amendments to the law. All of that had to be drafted and coordinated with the Departments of Labor and Justice. You don't just go out and do those things; these things have to be the subject of interagency agreement, they have to be vetted through the Office of Management and Budget, and a great deal of work went into that. Q: The Labor Department's involvement is because of certification.

SCULLY: Because of certification of the need for prospective workers.

Q: Which had become more and more an issue under the '65 act.

SCULLY: Exactly. It had become an affirmative requirement for the admission of immigrant workers in the '65 act, and it had really been only marginally important prior to '65, but it became a key element when it became an affirmative requirement in '65 on the immigrant workers.

Q: You found yourself working with Barbara?

SCULLY: With Barbara and B.J. Harper and George Owen, to draft the proposed legislation, to sit down, participate in the discussions, the interagency meetings on working it out, getting everybody coordinated.

Q: Worked with congressional committees?

SCULLY: Yes, very much. That's when I first began to become involved with the respective judiciary committees, largely in those days the House Judiciary Committee. The Senate tended to be inactive because the chairman of the Judiciary Committee in those days, Senator Jim Eastman of Mississippi, didn't believe much in immigration legislation. But it was during that period, and because of Barbara and George and B.J. that I was brought into those things. I was assigned to participate. I was tasked to do things, sent off to go and meet with people, participate in meetings.

Q: Was this guidance coming from the White House, or was this pretty much at the Barbara Watson level?

SCULLY: This was pretty much being driven by Barbara. Obviously it had to be vetted higher than that, because she wasn't god, she wasn't the president, she wasn't the Secretary of State, but in terms of her influence, she was really the one who ran with it. Most people weren't terribly interested in it. Secretaries of State are typically only marginally interested in immigration issues, whether their policy or individual cases. The White House only spasmodically gets involved in things like that. President Johnson was, but that led up to the '65 act. By then we had a different administration, and they simply weren't that interested in these things.

Q: Barbara was a Democrat, and she came in under Lyndon Johnson.

SCULLY: She was a Johnson appointee, but stayed on. Nixon kept her on.

Q: For how long?

SCULLY: She was there until '75.

Q: Six years into this administration.

SCULLY: President Ford was president by the time she left. Nixon had done his first term, started his second, resigned because of Watergate, then was replaced by Ford before Barbara left.

Q: So that's probably the best example of her survival in Washington.

SCULLY: Her political connections and her ability to survive were absolutely astounding. They were just incredible.

Q: She gave you the direction, the leadership, the encouragement, and probably a few arguments in drafting.

SCULLY: She was one of the hardest working people and one of the most systematic people I've ever seen. In those days, all of the subcommittees, say of Judiciary, or I guess it's true of any committee, each subcommittee had a day of the week which it was assigned for its normal hearing day. I think this is because of other commitments. In those days, the Immigration Subcommittee's normal day was Tuesday. So a hearing would be scheduled for a certain Tuesday, let's say, a month or a month and a half ahead.

Barbara had a very systematic way of doing business. It was standing operating procedure that by the close of business on the preceding Friday, there would be delivered to her a book in which was her principal witness statement, followed by probable questions and recommended answers, followed by copies of any pertinent documents, bills or other reports, anything. This made up her briefing book. It had to be delivered to her by COB the preceding Friday.

Q: She took it home over the weekend.

SCULLY: She took it home over the weekend and she studied that damn thing back to front. Then typically somewhere around noontime or slightly after noon on Monday, you'd get a call, “Please report to Miss Watson's office,” and so we'd all troop over there,

B.J. and Hallie Mae, when she was still around, and then after Hallie Mae left, B.J., and sometimes George, but mostly B.J. and I and maybe Frank Baker, who ran the Numerical Control Division of the Visa Office, plus Gene Krizek, who was the congressional relations officer, who handled our bureau's affairs.

We'd go into Barbara's office, and we would spend the rest of the day going over that briefing book. She'd read through the statements, she'd stop and say, “What's your rationale for saying this?”

Q: Could she be mean? Could she pick at you harshly?

SCULLY: No, no, no. This was always extremely professional; it was right on the point. It was right down to the substance. “Why do we want to say this?”

Q: In some cases, it might be just a mutual disagreement, but she would make the decision?

SCULLY: It wasn't always necessarily that. Some of it was simply exploratory. “What caused you to recommend that I make that answer? What was your thought process? How did you arrive at that being the right answer?” Sometimes she would disagree, but sometimes it was just purely an intellectual process of, “Okay, what got you to that point? What's your analysis that leads you to come out with that answer to that question?”

Q: And never did you feel, as a subordinate, that you dared not disagree?

SCULLY: Hell, no. Absolutely not.

Q: You felt you should argue?

SCULLY: If there was a point to be argued, you argued it.

Q: Sounds like we have a real leader there.

SCULLY: She was astounding.

Q: Can you give us an example of particular legislation that maybe become very important or one that the reader would be particularly interested in?

SCULLY: The one piece of legislation that was key really was this question of what to do about the Western Hemisphere.

Q: She was from the Western Hemisphere.

SCULLY: That actually was not enacted until after she had left. It was enacted in '76, but we testified on it repeatedly. She laid the groundwork. The reason it wasn't enacted while she was there was basically Jim Eastman. The House enacted versions of that a couple of times, and Eastman just wasn't having any of it. I don't think that he necessarily agreed or disagreed with the legislation; he simply didn't want the subject of immigration to come up. He was afraid that if he let anything move, he'd lose control of it somehow, and things would happen that he wouldn't want. So his answer was just to stifle it.

Q: He eventually retired.

SCULLY: He finally retired in 1978. Barbara Watson's influence on that, in terms of getting the record out there and being down there on the Hill, was indispensable.

Q: Let's take that leadership and translate it back to your overseas experiences. How did you view her leadership of the field? How did you see the way she passed on guidance, direction, inspiration to the vice consul or to the consuls general?

SCULLY: I traveled with her. I went on several consular conferences with her. Again, she was a presence. She was just a commanding presence. People responded to her.

Q: Morale in those days, then, must have been good.

SCULLY: I think morale was good. I'll tell you a story about Barbara. One of my first encounters with her was way back in '68. I said that I was over there on a temporary duty. I was sent over there on detail for a few months. I'll never forget this. I walked into her office, and she was on the phone, screaming and shouting, “How dare you interfere in this matter? This is a visa case. It's my responsibility. Goddamn it!” You know who she was talking to? Chip Bohlen, who was the Under Secretary for Political Affairs and a legendary Foreign Service officer. She was reading him the riot act.

Q: And she knew she could do it.

SCULLY: She knew she could get away with it.

Q: She knew she was right.

SCULLY: Oh, she was right. Oh, indeed. This was a very sensitive visa case involving intelligence implications, and she had been vastly embarrassed by being bypassed on this thing, because somebody in the intelligence community had gone right around her to Bohlen, and she blew her stack. Everybody knew that, by god, Barbara Watson was in charge.

Q: In the best sense of the word.

SCULLY: In the best sense of the word. She worked and did more, I think, to enhance, to raise, to dignify the consular service and consular work as a career than anybody in modern times.

Q: At a time when we were moving from a lot of green eyeshades, a clerical approach, a very defensive attitude towards a full-blown, equal Foreign Service participation. She went through that period, a very difficult period.

SCULLY: A very difficult period, but with great assurance. She had contacts. When Barbara Watson spoke, people listened, because she was Barbara Watson—period.

Q: We could bring ourselves up to date. Let's leave it to you to say whatever you want on the subject of leadership.

SCULLY: Barbara came back in '77, after a two-year hiatus, and she was there till 1980. She went off to be ambassador to Malaysia, and then the administration changed, so her tenure as ambassador to Malaysia was truncated and she went into private life. She was replaced by Diego Asencio, a career Foreign Service officer and, in fact, the first career Foreign Service officer ever to hold the job of Assistant Secretary. Every one of Diego's predecessors, including Barbara, going all the way back to Scott McLeod in 1953, had been a political appointee. So Diego was the first career officer that ever had that job. I think it can be said of Diego that he did nothing to diminish what Barbara Watson left him. I don't think it can be said that he did anything to increase it.

Q: A hard act to follow.

SCULLY: But I think, however, it can be said that Diego did not dissipate the heritage.

Q: You would say, then, that the office surrounding him and in the field sensed leadership continued?

SCULLY: Yes, I think so, but, again, what I'm essentially saying is Barbara had power. Diego preserved the illusion of power without actually having it. He was able to preserve the illusion that it was still there.

Q: Of course, he couldn't possibly have had the connections, the history, the real elements of power. He had certain elements.

SCULLY: Exactly.

Q: Therefore, illusion was important.

SCULLY: Exactly. You see, he succeeded in preserving the illusion of power, and he did that well. I think the man is entitled some credit for that.

Q: He wasn't there but for three years?

SCULLY: He was there three years.

Q: Speaking to your position, he didn't make your work difficult? He didn't argue with you in areas in which you were an expert?

SCULLY: He would from time to time. Yes, he did from time to time. It was always in good spirit, you understand.

Q: You usually won?

SCULLY: He would finally give it up, but to a certain extent, I got the impression that he was doing it more for the sake of doing it and showing that he was the Assistant Secretary and I wasn't.

Q: Again, a hard act to follow. He had to show power to people like you, particularly, who had had a good number of years.

SCULLY: I also have to say one thing about Diego's tenure, and that is he had as fine a senior deputy as it is possible to have, and that's Bob Fritts, a man whom I consider to be a true pro. Bob was not a career consular officer; in fact, I don't think he had ever had anything more than a nodding connection with consular work in his entire Foreign Service career before he became Diego's deputy.

Q: That position usually was filled with a non-consular officer. I remember Barbara Watson telling me she wanted it that way in order to have practical, political communication with the rest of the Department.

SCULLY: Exactly. She had a whole series of econ officers, administrative officers. Actually, Barbara had hired Bob. He was there very briefly before Barbara left.

Q: Then after those three years with Diego, we have two ladies that continued on, returning to the tradition of female leadership.

SCULLY: Let us say of females occupying the position. I think employing the word "leadership" is not really warranted here.

Q: It seems, then, that maybe the role of the consular function under Barbara Watson diminished particularly after Diego left.

SCULLY: I think it's declined since, yes.

Q: Do you want to define it in your terms?

SCULLY: I think what I have to say really is directly almost more at Joan Clark than it is at the current incumbent, Betty Tamposi.

Q: Who is Joan Clark?

SCULLY: She is retired now. She was a career Foreign Service officer, started out as Foreign Service secretary right at the end of the Second World War and eventually became an ambassador, Director General of the Foreign Service, and finally Assistant Secretary for Consular Affairs, which was her last job before she retired. The thing that I think I would fault her for was she never understood the dynamics of consular work, of

immigration, not merely in terms of the State Department's participation in it, but in its political dynamics in our community, in our society.

Q: She certainly wasn't a lawyer by background, so she had not that advantage.

SCULLY: She was better on that than she was on a lot of other things, because when she was Director General, there had been a lot of litigation, and she understood that litigation was an ominous thing and that litigation required lawyers, and that if you were in litigation, you'd better listen to your lawyers. That she did understand, and I give her credit for that. But what she didn't understand was the policy implications and the dynamics.

Q: People?

SCULLY: People, and people beyond the State Department, people out there, the congressional dynamic of immigration, the public relations, the public dynamic of it. She never understood those things, and she avoided, to the extent possible, getting involved in them.

Q: How long was she in office?

SCULLY: Six years. What she did then focus on was things that she could cope with — mechanization, computerization, waste, fraud and mismanagement, all of which are necessary things. They have to be integrated into the overall operation, but they can't become the be-all and end-all. There has to be a larger sense of what's going on and why it's going on and what the dynamics are that are making it go on that way, and Joan Clark never had that sense.

Q: Her specialty was administration.

SCULLY: Exactly. So I think that Joan Clark essentially wound up propagating the idea throughout the Department that the visa function really was one that involved nothing more

than computerization, mechanization, management, administration, anti-fraud activities, and that there was nothing beyond that.

Q: Pan Am 103, I think, crashed on her watch.

SCULLY: Yes.

Q: That involved a lot of human relations.

SCULLY: But I don't think she ever understood any of that. Miss Tamposi inherited what I think was already a very bad situation.

Q: Morale in the service?

SCULLY: Morale in the service is very low.

Q: Substantive issues?

SCULLY: Those sorts of things, yes. Her problem is that she does not show any visible signs of understanding any of these things.

Q: She's a lawyer?

SCULLY: No, she's not a lawyer. She's a small-state politician.

Q: New Hampshire.

SCULLY: She has an MBA from the Kennedy School, which is supposed to be a good thing.

Q: Brought in by [John] Sununu?

SCULLY: Sununu and Rudman, yes. I just don't think she has any understanding of what's actually going on, either. The problem, of course, is compounded by the fact that Joan

Clark left her a largely dissipated inheritance, unlike Diego, who passed the inheritance on to Joan Clark pretty much intact. He had not increased the capital, but he hadn't dissipated it. What Joan Clark did was dissipate the capital so that what she passed on to Betty Tamposi was an estate that was in very powerless condition.

Q: So nine years of denigration, or down trend, that now leaves the consular function perhaps confused?

SCULLY: I think so.

Q: Demoralized? How would you characterize it today, Dick?

SCULLY: My sense is that it is quite demoralized. One of the problems here is Betty Tamposi sees the consular function as welfare and protection.

Q: Because she was told to.

SCULLY: Because she was told to. I don't think she ever has had any sense that the visa function was really of any particular importance, or of great interest, to her.

Q: Some people might think that's good. Then you can operate on your own and not worry about a less-than-useful boss.

SCULLY: I don't think that's a tenable approach. One of the things that I have observed over the years is, if you don't have an Assistant Secretary who's credible, you're in big trouble. When we've had assistant secretaries who were credible, not only credible to us, but credible to their peers and the various people they have to work with...

Q: You take that mantle along to the meeting.

SCULLY: Exactly. People who think, “Okay, the boss is an idiot and I'll just go do my thing,” eventually wind up finding out that you can't get your thing done because everybody else thinks your boss is an idiot.

SCULLY: Chronologically, Bill, I guess we're pretty much down to the present. There are a couple of thoughts that I have about this that I would like to express, and these are not chronological. The visa function is very arcane to most people; it certainly was to me when I started. It is, however, very challenging in several respects, or at least I have found it so. You are dealing with people, you're making decisions that affect people's lives, and you are making decisions that affect people's lives very, very directly.

Q: Life and death.

SCULLY: Life and death. Futures turn on individual decisions in this business.

Q: That's the way our nation got going.

SCULLY: At the same time, I am a very strong believer, and I'm much affected in this by George Owen, for whom I will have undying affection and respect, it is also a matter of law. There are rules. I think it is very important in our country, it's a very important aspect of our country, that we pride ourselves on being a government of laws and not a government of men. Laws don't, and cannot, absolutely mechanistically decide every case, because people can't write laws with such scientific or mathematical precision that they will.

On the other hand, there are rules of law. There are concepts of abiding by rules of law that I think are supremely important, and I think that is a very important aspect of visa work also. I find it a very interesting aspect of visa work in the following sense. I find a great intellectual satisfaction in taking a complicated set of facts and by god, you get

complicated sets of facts when you get visa applicants, because they have complicated lives and complicated histories.

Q: Sometimes not always true.

SCULLY: That's true, too, but assuming you can get at what the facts are, as opposed to what they appear to be, even there you get extremely complex sets of facts that have to be plugged into and analyzed in terms of an extremely complex law, and I find a great deal of intellectual satisfaction and stimulation in working through a set of facts, applying the law, figuring out how the law works, what the impact of this provision is on that provision, and coming out with an answer, and having the satisfaction of saying, “I have arrived at the correct answer.”

Q: Let's take that thought and translate it to Mexico City, Ciudad Juarez, a junior officer with fifty very strange-looking malefactors in front of you, and you've got one hour to get through all of them. Put those two things together.

SCULLY: The problem is that's another aspect of the business, and this is where it's a multifaceted business. Sure, you've got the mass phenomenon, and that is the people who are applying as tourists, some of whom are bona fide tourists, many of whom are not. Depending on where you are, the percentages are going to vary.

Q: But you weren't distinguishing between immigrants and non-immigrants before.

SCULLY: No, I'm not necessarily distinguishing between immigrants and non-immigrants in what I'm saying, because you do get, in addition to that mass phenomenon, which really is a simple process of moving people through almost on a conveyor belt and saying, “You look like a good tourist to me. Fine. You get a visa.” “You don't look like a good tourist. You look like an intending worker. You don't get a visa.”

Q: That doesn't seem to fit into that beautiful opening...

SCULLY: No, but that's only part of the operation, though. There's more to it than that, and there is going to increasingly be more to it than that, because you do get into radically more complicated cases where the issues are, “This applicant wants to come to the United States and do this, and he (or she) has that background. Is there a slot for that applicant somewhere in the system? If so, which slot is it?” That can get to be very complex.

Q: How do you convey this feeling, which is vital, as far as I'm concerned, to those officers in the field? How can you inspire them?

SCULLY: I don't know how you can inspire them. Somebody's got to do the grunt work, which is basically moving all of those purported tourists through the process in deciding which are really tourists and which aren't. Q: There are those who say the only ones who ever reach you at that level are those who have a congressman.

SCULLY: Oh, no, I don't think that's true. Sure, the Visa Office as an institution gets lots and lots of inquiries about tourists. “Why didn't my third cousin get a visa? He only wanted to come and see me for three weeks.”

Q: Or immigrants who are coming to work in a special category, they don't have enough money or whatever. There could be all levels of intervention.

SCULLY: Yes, and maybe working in the Visa Office, you do tend to see a distillation of these, and therefore you can get more intellectual stimulation because what you do get in the Visa Office are the cases that can't be dealt with routinely.

Q: Or come to you through special attention.

SCULLY: Yes, but I think normally, though, the cases that come to us—and I assume you mean “you” in the plural sense, not personally—are typically the cases that can't be dealt with routinely. If you've got a perfectly clear-cut case of an American who marries a foreigner and it's a traditional marriage and they're living together and they've been living

together and they have children, etc., it's sort of a 1950s sitcom kind of marriage, that case never comes to the Visa Office. There's no reason to. Nobody raises any issues about that case, because it's perfectly clear on its face. The petition is going to be approved routinely, the visa's going to be issued routinely. People are going to look at it and say, “Gee, there's nothing wrong with this case. We'll just move it right through.” You have to get your satisfaction out of having rendered somebody a service. There your satisfaction has to come from saying, “These people are entitled to this service and, by god, I did it well, I did it fast, I got them in here, I got them out, and here I sent them on their way happily.”

Q: They smiled and said, “Thank you.”

SCULLY: Exactly. There is a satisfaction in that. That's not an intellectual stimulation, but it is a job satisfaction. It's a human satisfaction you get from providing a service that people are entitled to on those facts, promptly and in a friendly way, and there it's a human satisfaction and it's a satisfaction, I think, in knowing that you have given them a favorable impression of the government.

Q: You're talking about the ones that aren't more complex.

SCULLY: Posts aboard get these, too. Don't think that they all come to Washington, because we've got plenty of damn good officers out there with excellent minds, excellent training, who handle a fair number of these complicated cases and figure out, “This is the way it ought to be dealt with.”

Q: With well-written regulations by one Mr. Scully.

SCULLY: Well, one hopes. I think there is that component to it. How do you show a brand- new junior officer that that is and can be so? I'm not sure I know the answer to that question, because there is that inescapable sort of basic grunt work that's got to get done.

Q: You answered it before when we talked to the higher level, and that's the leader. That junior officer damn well better have a good leader. If that leader isn't there, then the junior officer has no one to turn to.

SCULLY: But how do you allow that junior officer to understand that if he sticks with this, he'll get by the grunt work and these things are out there?

Q: That's a lesson in itself. "Time is going to pass, and I am, as a junior officer, going to have to go through some of these things. If I don't have the nobility and strength of character to get through it, then I shouldn't have joined the Foreign Service."

SCULLY: I think to a certain extent it's like saying every master chef started out as the number-three salad chef, tearing up lettuce and putting it in bowls. That's grunt work, too. You don't start your career as a chef by cooking meals at the Ritz Carlton Hotel. You have to start somewhere down at the bottom and work to that.

Q: People keep coming back into it. In terms of pressures, you brought the pressures of Montreal. You said that nobody seemed to understand what our staffing complement was or should be. We have that today. You must face it in every day's work by the pressures you see that are being brought more and more on them. Do you have any comments on the pressure on the field?

SCULLY: I think it's probably the most serious concern that I have, because we've spent the last fourteen years being told to do more with less.

Q: And better.

SCULLY: And do it better, by the way. Within certain limits, it is possible to do more with less, because there are ways that you can cut corners, there are ways you can improve procedures, there are ways you can make use of automation, but there are limits to that. I think we passed those limits some time ago, and that is the problem.

Q: We're on borrowed time now?

SCULLY: Yes, I think we may well be. The problem, as I see it, and by no means peculiar to the consular service, is that we are simply experiencing something that is probably true with people in government generally, not just the State Department and not just the federal government, and that is, the public wants more and better service for less and less money. The notion that you only get what you pay for seems to have gotten lost somewhere, and it's not merely here. It certainly is true here.

Q: This isn't just dissatisfaction with Washington by the guy in Peoria; this is dissatisfaction with the government in general?

SCULLY: I think so, yes.

Q: "I want more for less."

SCULLY: Yes. "I want my schools to be better, but I'll be damned if I'm going to pay a meal tax." For the reader of this, we're talking about a recent event in Fairfax County, Virginia, where the voters rejected a 2 percent tax on restaurant meals which would have been devoted to the school system.

Q: Because they thought there was waste in the government, not necessarily in education, but building too many big buildings and having too many perks out there.

SCULLY: It's reflective. Sure, people want education to be better, they want better police forces, they want better police protection, they want better roads, they want all of these various things, and yet when the time comes that somebody says, "But better roads cost money, better policemen cost more money because you have to have better educated policemen and you have to pay them more and you have to have more of them and better trained policemen," then people suddenly start saying, "Wait a minute. Don't raise my taxes. Don't spend more of my money on these things."

I think what we're seeing with the consular service is basically a microcosmic example of that. For that reason, I'm not sure that there's any solution, because the solution, to the extent there is one, doesn't have anything to do with the consular service as such, or with the visa function as such; it has to do with this larger issue. But I do think that if these pressures continue, we're beginning to see evidence of a breakdown in professionalism.

Q: The limit having been reached where the individual performers, in this case the officers and the staff, just say, "No more."

SCULLY: Exactly. They're pushed beyond their limits. You burn people out. People are no longer able to deal with the public in a decent-minded manner.

Q: Do you sense that this voice is coming from the field and/or from within the department? "Enough's enough."

SCULLY: I think it comes out in other ways. Yes, we've actually heard that overtly in some cases.

Q: Consular conferences or messages.

SCULLY: Communications from the field saying, "You've told us that we're not going to get increased staff. Therefore, we're simply not going to do this anymore."

Q: "We will issue visas on Mondays and Fridays only."

SCULLY: Exactly. That sort of thing.

Q: Doesn't Congress play a role? They're the moneybags behind all this. Can't they order more funds to be allocated?

SCULLY: They could, but will they? If you look at the way Congress has been dealing with budgetary issues in the larger sense, I just don't think it will. That's what really bothers me about the consular service, as I see it at this point, Bill.

Q: I shouldn't have raised it, because it's something that neither of us can do absolutely anything about, other than the way we vote. If we don't have the leadership that we've had and we don't have the funds, and we have lost a big chunk of professionalism, or are losing it, maybe you ought to join me in retirement.

SCULLY: Well, I'm thinking on that, as a matter of fact.

Q: Dick, as the evening has reached the end, any other final thoughts on any of these things? We could go on for a long time, and the readers would love to hear you.

SCULLY: There are lots of things one can talk about, Bill—relations with the Immigration Service, how the thing works between the two of us. I think the Immigration Service is an example of what happens when things really do break down, when professionalism really does break down. One of the things that I'm troubled about—and again this is part of the breakdown—decision-making is hard, it's a wearing thing, and you see from time to time officers in our service, more so in the Immigration Service, who are looking for substitutes for decision-making, magic formulae that will allow them to produce an answer without making a decision, because the formula will produce the answer for them. The Immigration Service is always looking for bright line tests so that everything is binary. It's either black or it's white.

Q: Like a computer.

SCULLY: Exactly. There's no gray. One of the fundamental problems with visa work is that most things are gray, and that requires a great deal of intestinal fortitude to day after day after day after day make decisions that you can't quantifiably guarantee are right.

Q: You made the decision, though, because you thought you were right.

SCULLY: Right.

Q: You didn't guess it.

SCULLY: No. You see, the problem is, you thought you were right, but you're never sure. If it was all mathematical, you could simply plug the various elements, the various numbers into the formula, and let the computer produce the answer.

Q: The problem is that we have to deal with humans.

SCULLY: Exactly. That's another element, and that's something that we can work on, because you can try to encourage people and motivate people to understand that it's gray and to accept that not only are these things gray, but the world is frequently gray, and that decisions do have to be made, even though there isn't any black and white that you can rely on for the decision that it's gray.

Q: Back to your opening comments. That's what makes the job fun.

SCULLY: That's what makes the job fun, but it's also extremely taxing, it's extremely stressful.

Q: Especially under pressures.

SCULLY: Under pressures.

Q: But that's what you get paid for.

SCULLY: That's what you get paid for. Exactly.

Q: And hopefully that's what you have fun doing. When I retired, I said, “I had one fun thirty-seven years.” If you can't do that, forget it.

SCULLY: I've loved it myself, I really have. It's been intellectually stimulating. It's been fun in this other sense.

Q: You've helped people.

SCULLY: Yes, I feel that I have helped people.

Q: Made good friends.

SCULLY: I've made a lot of good friends professionally and personally, but through my professional contacts. I feel that I have helped people. I can think of cases where the facts were just against the individual, and you couldn't help them. You can't let that get you down, either. You just have to accept that that's part of life.

Q: A lot of doctors and social workers and so on can't help.

SCULLY: Exactly.

Q: You do your best.

SCULLY: You have to try to get the satisfaction out of doing what you can, the best way you can.

Q: Whenever you do retire, Dick, you can retire with the satisfaction of knowing that everyone in the field looks at you as Mr. Visa Office. There might be other people who have come and gone, but you are the one that understood the problems, who held to the criteria that you named Mr. Owen as having, somebody who understood there were people out there, but that there was a law. That should be great personal satisfaction.

SCULLY: It is a satisfaction to me, Bill, and that is why George Owen really, in many ways, is my hero. I've had many mentors, I've had many people whom I have greatly respected —B.J. and Barbara, lots of people, Laurie Lawrence. We could name them all day. But there is a special place in my heart for George Owen. He's a man who was very special to me.

Q: Because that got to you, you could pass it on to others, and you've done it.

SCULLY: I've tried to.

Q: Dick, thank you very much.

End of interview